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Jeffrey Friedman

LIBERALISM AND POST-LIBERALISM

This issue reflects some of the diverse and conflicting tendencies within liberal social thought. In an opening essay rich with disturbing implications for liberals, John Gray, who has in the past defended indirect-utilitarian and contractarian versions of liberalism, now repudiates them—and liberalism itself—convinced that they cannot solve the problem in liberal thought, exemplified by Mill, of the incommensurability of values and of the different components of human happiness.

It is worth mentioning that that problem is unique to those liberals who, like Mill, attempt to build a particular conception of human happiness into their theories. In order to avoid simplistic reductions of happiness to a single element—which *could* be aggregated and assessed for consequentialist purposes, albeit not without great difficulty—such theorists must multiply the elements of their conception of the good, usually leading to the problems Gray discusses here. But such attempts can themselves be seen as part of the pre-liberal fusion of what we would now take to be separate, or separable, realms of moral theory (which tells us how to live) and political theory (which sets limits to our behavior without necessarily imposing on us a particular moral course).

One need not resort to dubious ideas of natural rights in order to preserve this separation. One can seek to maintain a dichotomy between how we should live and the overarching political order, not only due to some notion that people have the political "right" to pursue "wrong" courses of action, i.e., in this case, courses that are not conducive to human happiness. Instead one might separate the moral

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and the political simply because of the fact that people with different aptitudes and backgrounds will require different sets of conditions for their happiness. On such pluralistic grounds, one will not necessarily seek to balance these conditions against each other in order to achieve maximum utility; rather, one may seek to provide conditions that maximally improve the chances for all to pursue their different "moralities."

That is part of what Hayek attempts, and it does not lead to Mill's "modernist" trap, also criticized by Gray, of assuming ahistorically that freedom is a necessary component of happiness, rather than being a device instrumental to the achievement of happiness in a pluralistic society. Thus it avoids the problem of weighing liberty against the "other" components of human happiness. Nor does it require that the question of the good be ignored, since it is the conclusion that the good is for empirical reasons plural among different people (as opposed to being multiple within each person, which led to Mill's conundrum) that lends support to the liberal separation of its pursuit from politics. Finally, it is not open, at least in principle, to the charge that it requires viewing people as "atoms" isolated from history and culture, since it is precisely the variety of people's histories and cultures that justifies allowing them latitude to pursue their various roads to happiness. (That a pluralistic society may in fact homogenize the variety of cultures exposed to it is another matter.)

Alternatively, rather than recognizing the universality of pluralism, one might pursue Mill's "disaggregative" project of specifying various universal conditions for human happiness. Even if one then concludes that liberal societies are very imperfect guarantors of happiness, however happiness is specified, it may well be that the prosperity and scope for activity achieved by economic liberalism makes for more of such happiness than any practicable alternative system. Such a systems-utilitarianism, rather than attempting to balance the elements of human happiness for legislative purposes—in the tradition of advising the state about the best means of uplifting its subjects—would remain open to the recognition, exemplified in classical and especially Austrian-school and Public Choice economics (and consequently in Mill's and Gray's efforts to deduce only an *indirect* utilitarianism), that such legislation so undermines the liberal economic system that on consequentialist grounds it cannot be tolerated—despite the fact that taken in isolation from political and economic dynamics, any given state intervention might demonstrably increase the level of happiness in a liberal society.

Either of these neo-liberal strategies, while drawing upon the eco-

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nomic and political analyses that are the strong points of current liberal thought, would have to go beyond them if they were to avoid merely constructing a new self-confirming argument for laissez-faire. Both the pluralist and one who, like Mill, is willing to define substantive requirements for human happiness (however insubstantial and abstract these were in Mill's particular case) would have to undertake a comparative, historical and anthropological analysis of cultures and social systems, along with a deep examination of issues usually treated by religion and art, in order to determine honestly whether modern liberal societies make for enough happiness to justify their defense on consequentialist grounds. Gray objects to the Hayekian version of this cross-cultural comparison, but if his objection is meant to apply to all such comparisons, then Gray is simply ruling out any philosophy which tries to address itself, in anything but an a priori manner, to the question of the good. While this would indeed free us from all sorts of "indeterminacies and value conflicts," it would do so only at the cost of begging the important questions.

As for the particularistic post-liberalism Gray proposes as an alternative to liberalism, it shares the flaw in the communitarian option proposed by many post-liberals: once one has realized that one's tradition or one's community (or, for that matter, one's God) is "particular"—once cultural diversity is recognized and its troubling implications absorbed—there is no going back to the state of innocence in which it was formerly possible to live. One cannot simply conjure God, community or unquestioned traditional values back to life by fiat—at least not in anything like the satisfying form they took in the past. For this reason particularism is no more a post-liberal version of post-modernism than is communitarianism (or religious fundamentalism): they are all actually pre-liberal versions of pre-modernism. This is not to say that the neo-"Hobbesian" or minimalist political conclusions Gray prefers are not plausible, but that one cannot hope to reach them by abandoning a universalistic moral justification for them in favor of a commitment to one's own traditions, whatever they happen to be. That is, in a sense, very much like the unfeasible approach Hobbes himself attempted, although in his case the putative turn from (universalistic) justification took the form not of a particularistic conservatism, but of scientism.

If liberalism is to break out of its current mode of contentless question-begging (so well dissected in Gray's essay), then, it must confront the issue that underlay Mill's mental breakdown and motivated his turn toward specifying, even in his inadequate way, elements of

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human fulfillment. But to do this requires setting aside the notion that, regardless of its consequences, individual freedom is so intrinsically good that it must be, a priori, our primary goal or even our inviolable side-constraint. For if that is the case, the "moral" or substantive issue will never arise; the question of what, if anything(s), leads to human happiness will go unasked in favor of an unthinking commitment to human freedom as *the* end in itself. That is the condition liberalism finds itself in now—both the left-liberalism of the egalitarian advocates of "human rights" and the individualistic liberalism of the libertarian advocates of "natural rights."

★ ★ ★

Appropriately, our first two review essays treat Hobbesianism in more depth. In the first, Loren Lomasky criticizes David Gauthier's controversial "liberal individualist" restatement of the Hobbesian approach, concluding that it does not successfully reconcile rationality and morality. In the second, Don Herzog discusses several books on Hobbes and reaches a similar conclusion; in fact, he suggests, such a reconciliation is so improbable that we are wrong to take Hobbes's "scientism" too seriously.

A detailed examination of the next—many would say first—great liberal figure, Locke, follows. The intention is not only to scrutinize Richard Ashcraft's recent claim for Locke's "radicalism," but to offer an alternative to the shibboleth of his "possessive individualism" as well—for historically, possessive individualism is, as J. G. A. Pocock points out, "a paradigm of liberalism . . . set up more by those who would attack it than by those who would practice it." Matthew Levinger then concludes our obviously less-than-comprehensive survey of historical liberalism with a review of recent scholarship on the French Revolution. His focus is the collapse of the Marxist interpretation of that event; ironically, the more "the bourgeoisie" recedes into the distance, the more striking is the liberalism of the Revolution. For if, as Levinger suggests, Tocqueville was closer to the truth than Marx, then the Third Estate's demand for more representation was a protest against the political *irrationality* of the Old Regime—just as the liberal physiocrats protested against its economic irrationality. Where Locke appears torn between political egalitarianism and "the public good," though, there was no such conflict for the French in 1789, to whom the irrationality of Old Regime absolutism made popular sovereignty and the common good seem to go together. Contrary to Ashcraft, Locke, writing *after* a civil war, appears to have doubted the equation of popular sovereignty with the public good which the French Revo-

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lutionaries, seizing on the participatory language of pre-Revolutionary politics, made all too easily.

That assumption of the congruence of democracy and the public good is one that (classical) liberals have challenged ever more urgently in this and the last century. (This is what makes liberalism look conservative on the contemporary political scene.) In modern democracies a politics of intentions seeks to maintain that congruence by equating public-spiritedness—virtue—on the part of the governors with good government. This is what qualifies, say, a technocratic liberal like Michael Dukakis to "run the country." In this issue Gordon Tullock, a co-founder of the Public Choice school of economics which has attempted to inject some realism into our all too idealistic view of the state, reflects on a recent book advancing such a naive view of government.

In concluding our discussion of liberalism as such, D. F. B. Tucker, unlike Gray and Tullock, embraces the form of liberalism dominant since 1789—majoritarianism—although he wishes to limit social democracy by preserving civil rights. Yet his embrace of democracy does not, as is so often the case, unquestioningly accept its desirability; rather, Tucker rejects classical liberalism on practical-sociological grounds similar in many respects to those surveyed in Robert J. Antonio's "Reason and History in Hayek" (CRITICAL REVIEW 1, no. 2 [Spring 1987]: 58–73).

In an earlier issue Tom G. Palmer (CRITICAL REVIEW 1, no. 3 [Summer 1987]: 91–98) presented a reading of Gadamer's hermeneutics that was compatible with classical liberalism. Now Elliot Neaman challenges this interpretation, arguing that it overlooks the radically nihilistic dimension of hermeneutics; G. B. Madison, who in subsequent issues of this journal will argue for a post-modernist reading of Hayek, uses the term "hermeneutics" more narrowly than Neaman, distinguishing it from post-structuralism, but both would probably agree that the two are more intimately, causally connected than Palmer's interpretation suggests, raising thorny problems not at all congenial to the traditional metaphysics of classical liberalism.

Finally, three issues of contemporary relevance to liberal thought are addressed. David Boonin discusses a recent attack on the ideal of competition. As moral advice, Boonin finds the case against competition to be sound. As a critique of capitalist society, though, it suffers from the misunderstandings of the purported benefits of competition that has clouded the debate over capitalism since its beginnings.

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One of the empirical assumptions long made by participants in that debate has been that capitalism trades economic equality for greater productivity, while socialism provides equality at the expense of prosperity. Harmon Zeigler and Thomas Dye challenge this assumption in their important review of Barrington Moore's most recent work. Last comes Simon Green's examination of the radical form of egalitarianism that is subjecting even inequalities of innate "talents" to redistributivist scrutiny.

* * *

With this double issue we accommodate an unexpectedly heavy volume of material and the consolidation of our offices in Chicago. Subscriptions that were to expire with either the Spring or Summer issues have now done so, effectively giving Spring-expiration subscribers a bonus issue.

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John Gray

MILL'S AND OTHER LIBERALISMS

According to a common view, if anyone is a liberal, it is surely John Stuart Mill. In Mill's thought, so this conventional account runs, we find in the clearest form all the elements that together make up the liberal outlook: an uncompromising individualism, an unqualified affirmation of the priority of individual liberty over other political goods, and the settled conviction that the human lot may be indefinitely improved upon by the judicious exercise of critical reason. Further, the political positions that Mill himself adopted during his lifetime—his support for democratic institutions, for the nascent feminist movement and for individual freedom from a tyrannous public opinion—would seem unambiguously to qualify him as a paradigmatic liberal thinker. Given these credentials, if Mill is not a liberal, who is?

My aim in this paper is to contest this received view by arguing that Mill's thought encompasses not one, but several distinct liberalisms. Within this variety of liberal perspectives in Mill's work, I shall argue, the dominant perspective is for many reasons the least compelling. The liberalism of *On Liberty* and *Principles of Political Economy* is, I submit, an ill-conceived compound of abstract individualism with proto-socialist utopianism, which was eminently criticizable in Mill's time, and which we have every reason to repudiate today. It is this liberalism which among us is identified with Mill's, the incoherences of which I

John Gray is a fellow of Jesus College, Oxford. Research for this paper was undertaken during a period of residence as Distinguished Research Fellow at the Social Philosophy and Policy Center, Bowling Green State University. It was delivered at the 1988 International Meeting of the Conference for the Study of Political Thought in New York City on April 8, 1988.

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shall seek to trace in the complex structure of his moral theory. There is in Mill's work another liberalism, owing much to Tocqueville and to the vestiges of the Scottish Enlightenment which survive in his thought, which has weathered the past century better than that with which he is commonly identified, but which we ought nevertheless to subject to criticism. This liberalism, with its recognition that progress depends on strong traditions and individuality on the preservation of a cultural inheritance, is a liberalism which goes against the current, not only of Mill's own dominant perspective, but also against that of the revisionary liberalisms which dominate (and occlude) contemporary political culture. This other, older liberalism has many important advantages over Mill's dominant liberalism, but also decisive limitations which it shares with all forms of liberalism. For this reason, I shall contend, we need to theorize our condition in post-liberal terms which encompass a severe restriction on the scope and limits of political thought itself.

My argument for this view has three parts. In the first, I argue that the project undertaken in *On Liberty*—the project of grounding one very simple principle for the protection of liberty on a utilitarian foundation—was not, and could never have been successful. Mill's project founders there, partly because of crippling disabilities in the Principle of Liberty itself, and partly because no account of justice can be theorized in entirely consequentialist terms. In advancing this first part of my argument, I will invoke the revisionist interpretation of Mill's moral and political thought which has been developed by a number of recent writers,[1] including myself, and which I still hold to be accurate as an account of the intention and structure of Mill's doctrine of liberty. In the second part of my argument, I will consider how the incoherences in Mill's fundamental moral theory bear on his proposals for social, economic and political reform. Here I will argue that Mill's dominant liberalism is in crucial respects indefensible, ill-considered and flawed both as a response to the circumstances of his age and to the dilemmas of our time. Finally, I shall in the third section of my argument consider the relevance of the failure of Mill's dominant liberalism for the ruling liberalisms of our own age, in which many of Mill's errors and incoherences have been reproduced. I shall consider, in particular, the profound contemporary restatement of liberalism in the work of John Rawls, concluding that (despite its many advantages over Mill's predominant liberalism) Rawls's remains attached to the central errors and illusions of the new liberalism. Finally, I shall maintain that Rawls's liberalism, no less than the liberalisms of Hayek and

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Nozick, is disabled by incoherences and indeterminancies that are fatal to liberalism itself.

The Complex Structure of Mill's Utilitarian Liberalism

As it has been uncovered in recent work, Mill's is an indirect utilitarianism in which Utility figures as an axiological principle and not as a practical maxim. It is as a principle for the evaluation of states of affairs in the world, rather than a criterion of right conduct, that Utility operates in the account of the Art of Life which Mill gives in the *Logic,* and on which he trades in the theory of justice developed in the last part of *Utilitarianism*. The Principle of Utility tells us that happiness, and that alone, has intrinsic value. It does not tell us how we are to act. From Utility, it is true, Mill thinks there follows a Principle of Expediency, which specifies that an act is expedient if it issues in a net increment in utility, and maximally expedient if it brings about as much utility as any available alternative act. But the Principle of Expediency imposes no obligation on any agent to maximize utility. In Mill's theory of morality, agents have obligations, if and only if it is maximally expedient that they be liable to punishment for not acting as the obligation requires. It follows from this distinction between the expediency of an act and its obligatory character that an agent may act inexpediently without thereby failing to discharge an obligation grounded in utility. A person may act inexpediently, in other words, without acting wrongly. It is the aim of Mill's indirect utilitarianism to distinguish the requirements of morality from those of utility and, likewise, to distinguish within the sphere of practical life other domains, such as Prudence and Excellence, which have a similarly indirect relation to Utility.

In its applications in his political thought, Mill seeks to show how a system of maxims which constrains the pursuit of utility may nonetheless have a utilitarian justification. He tries to achieve this result by making the claim that, both individually and collectively,[2] direct utilitarian policy may be, often is, and sometimes must be self-defeating. Mill's political thought, and above all his doctrine of liberty, turn on the paradox, central to his moral theory, that we are best equipped to promote utility if we tie our hands in respect of the policies we may adopt to that end. Implicit in Mill's moral theory is the thesis, developed systematically in much recent work, that a world of direct utilitarian policy would not be maximally expedient, since in it the sum of

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acts that maximized utility would not itself be a maximizing sum.[3] At the most formal level in the structure of his argument, it is this claim that Mill relies upon when he sets out to ground utility-constraining moral rights in the requirements of the Principle of Utility. This must be so, once we see the paradox in Mill's commending on utilitarian terms a principle—the Principle of Liberty—which stipulates that the fact that an act maximizes utility is no reason for doing it, if that act encompasses restraint of liberty where there is no question of harm to others.

For his argument that it is his Principle of Liberty, and not some other principle, that we are to adopt in our policy with regard to individual freedom, Mill relies on his conception of human happiness. As he theorizes it, human happiness is not a balance of pleasures over pains, a favorable accounting in a felicific calculus, but a condition in which persons flourish in the successful pursuit of self-chosen projects and activities. In this conception, which has clear Humboldtian and Aristotelian debts and affinities, the happiness of any person exhibits two features—the exercise of powers of autonomous choice and the expression of individuality. For Mill, happiness is a condition, somewhere between self-creation and self-discovery, in which a person realizes the requirements distinctive and even peculiar to his nature while at the same time exercising and enjoying his generically human powers of autonomous thought and action. The contention of the essay *On Liberty* is that happiness so conceived is best achieved in a free society governed by the Principle of Liberty. Mill's argument in that essay is not to be judged, as perhaps he intended it to be, as a self-contained exercise, sufficient to itself. Rather, it draws heavily on other passages in Mill's thought. Aside from those I have mentioned already, it trades on the account of the higher pleasures advanced in *Utilitarianism*—for the development of individuality, as theorized in *On Liberty,* comprehends the successful pursuit of ends chosen for their own sakes which are none other than the higher pleasures. Finally, as Mill's introductory reference to "the permanent interests of man as a progressive being" suggests, the argument of *On Liberty* presupposes a theory of progress of the kind Mill was later to deploy in a more explicit and systematic fashion in *Considerations on Representative Government*. I will return later to the dependency of the liberalism of *On Liberty* on a flawed theory of progress.

The indirect utilitarianism which Mill applies in *On Liberty* is, then, a complex theory in which the Principle of Utility is an evaluative and not an action-guiding principle and direct utilitarian policy is con-

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demned as self-defeating. This moral theory is put to work in *On Liberty* via a distinctive conception of happiness which Mill develops in that essay—a conception in which happiness has a link with liberty that is more than instrumental in virtue of the place of autonomy and individuality (and so, Mill supposes, of liberty) in the constitution of happiness. Whereas the formal structure of Mill's moral theory is given in the *Logic,* and a substantive content provided in *Utilitarianism,* it is in the *Liberty* that Mill's indirect utilitarian moral theory acquires its richest content. What are we to make of this train of argument and of the liberalism that it supports?

It is useful to begin by recalling Mill's own account of the project of the essay *On Liberty*—the project of formulating *one very simple principle*[4] for the regulation of individual liberty by law and opinion. Quite apart from the issue of whether Mill's principle is derivable, as he claims, from utilitarian considerations alone, it should be clear at once that it is singularly ill-fitted to perform the task he demanded of it in the *Liberty.* There are several reasons why the Principle of Liberty is not, and cannot be, the very simple principle Mill sought. In the first place, it specifies only the necessary, and not the sufficient condition of justified restraint: it tells us that an agent's liberty may be restricted, only if harm to others is thereby prevented. (I leave aside here an important ambiguity in the principle as to whether it be a general harm-prevention principle, or else a harmful-conduct-prevention principle).[5] In other words, liberty may not justifiably be restricted *except* where harm to others may thereby be prevented. Now it is true that this is on the negative side a clear and simple enough principle. It is definite and unambiguous in ruling out as reasons for justifiable restraint paternalist, moralist and welfarist considerations. (It also rules out the promotion by restraint of liberty of utility itself, so generating the central paradox of Mill's doctrine). On the positive side, on the other hand, it tells us nothing as to when restraint of liberty is in fact justified: for that judgment, we must look to other principles—chiefly the Principle of Utility itself. Far from providing a simple, almost mechanical guide to policy about the restraint of liberty, Mill's principle is in its very nature radically incomplete. It tells us what we may not do, but not what we ought to do.

A judgment as to when liberty ought to be restricted must turn on the contribution such restraint makes to the promotion of general welfare. The successful application of Mill's principle, accordingly, presupposes that we are in a position to make disciplined judgments about aggregate social welfare. The deep difficulties with making such

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judgments are familiar to us all, even in the context of Bentham's felicific calculus and its successors in the vain and absurd pursuit of a moral arithmetic. It may be, as some recent writers[6] have maintained, that problems of comparability and commensurability in respect of utilities can be overcome in at least some versions of utilitarianism—though I myself doubt this. There can be no doubt, on the other hand, that making judgments about aggregate social welfare poses intractable problems for Mill's utilitarianism. For Mill, after all, utility is not a simple property: it attaches only to happiness, but happiness is itself internally complex. How are we to weigh the distinct ingredients of happiness as to their on-balance contribution to utility? How, for example, are the higher pleasures to be traded off against the lower? (If less of a higher pleasure is worth more than more of a lower, how much higher pleasure equals how much that is lower?) It seems plain that, when happiness has been disaggregated into a diversity of ends pursued for their own sakes, there can in general be no global, on-balance assessments of aggregate happiness. The very idea of aggregation seems out of place in the context of Mill's conception of happiness. This is to say that Mill's problem is a deeper one than the traditional problem of making comparisons of utilities that are interpersonal—it is the problem posed by incommensurabilities which may arise in the context of a single life. This is a problem, identified in Mill's work first by Berlin and best theorized systematically in the recent work of Joseph Raz,[7] generated by indeterminacies and incoherences in practical reasoning in all of its modes. Applications of the Principle of Liberty, then, presuppose that we are able to make global judgments about personal and social welfare that are barely intelligible on Mill's own terms. It follows that, except perhaps in limiting cases, Mill's principle is useless in guiding policy about the restraint of liberty.

Even if we could overcome the special problems of commensurability facing a utilitarianism, such as Mill's, in which happiness has been decomposed into a variety of intrinsic goods, there are crippling indeterminacies in the very statement of the Principle of Liberty itself. It is plain that, because it always requires further principles for its application, Mill's principle does not tell us *how much* liberty may be given up for *how much* harm-prevention. But what, in any case, does Mill understand by harm? It is an obvious objection to Mill's project that conceptions of harm vary with competing moral outlooks, so that no Principle of Liberty whose application turns on judgments about harm can expect to resolve disputes between exponents of opposed

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moral perspectives. It was against this argument that I developed the theory of vital interests, maintaining that harm as Mill conceived of it consisted in injury to the interests in security and autonomy. But even if, as I still think, this is the most compelling interpretation of Mill's view, it fails to confer determinacy on his principle. For different policies of restraint of liberty, all of which are sanctioned by the principle as preventing harm to others, may affect the interests in autonomy and security in very different ways. Each interest may be injured (and promoted) in varying degrees. How are we to weigh a lesser injury to autonomy against a greater injury to security? Even within the Principle of Liberty itself, insuperable problems of commensurability break out when trade-offs must be made between harms to competing interests.

In some cases, perhaps, we are in a position to make the disciplined judgments about harm and welfare demanded by Mill's principle. I do not think this is often so, but where it is, other problems arise. Since it does not tell us how to trade-off harm-prevention against restraint of liberty, the principle may license policies which are extremely inequitable in their resultant distribution of unfreedom. A policy of preventing serious harms by imposing severe restraints on the liberty of a small minority may well be the most utilitarianly efficient strategy in many cases. (This is so, whether the Principle of Liberty be construed as a general harm-prevention principle or as a harmful-conduct principle.) This is a result which must disturb any liberal, including Mill, but it flows inexorably from the maximizing structure of Mill's theory of practical reason, and it has large implications for the coherence of his indirect utilitarianism. It is not avoided by postulating (as I did in my book)[8] a Principle of Equity for the regulations of trade-offs between harm and liberty. Though there is textual support for attributing such a principle to Mill, there remains the fatal objection that, in the real world with which Mill was concerned, we can clearly identify some harm-prevention policies that are plainly inequitable but maximally efficient. In those cases, adhering to a Principle of Equity is indefensible in utilitarian terms. I see no way out of this dilemma for Mill's doctrine of liberty.

The problem of policies for the restraint of liberty that are at once maximally efficient and morally inequitable suggests other difficulties whose upshot is the unravelling of Mill's indirect utilitarian theory of morality and practical life. It is the central thesis of indirect utilitarian theory that, in virtue of the self-defeating effect of direct utilitarian policy, we are to govern our conduct by practical maxims which constrain our pursuit of general welfare. The Principle of Liberty is just

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such a maxim, as applied to law and opinion. The question now arises: why should we adhere to any such maxim when we know that by so doing we will sacrifice aggregate welfare? The question is not answered by making the rejoinder (which I made in my book)[9] that Mill's is not a rule-utilitarian but an indirect utilitarian theory. For though it is true that Mill's utilitarianism seeks to guide practice not only in the application of rules, but also by reliance on dispositions and sentiments, these latter will conflict with one another just as rules do. When we are in a circumstance of such practical conflict, how can we avoid ultimate appeal to the principle of Utility? Within the context of Mill's thought on morality and practical reasoning, such an appeal is unavoidable. If this is so, then the barriers Mill seeks to erect between Utility, Expediency and Morality have been breached. This result can be circumvented only on the wholly fantastic supposition that a utilitarian moral code could be contrived within which such instances of practical conflict were unknown. In any imaginable real world, moral codes will contain gaps and contradictions and will confront novel dilemmas. In all such cases, appeal back to general welfare is the only recourse for a utilitarian theorist. Mill's indirect variant of utilitarianism then collapses into a form of sophisticated act-utilitarianism. For a sophisticated act-utilitarianism, however, there can be no question of adherence to exceptionless principles such as Mill's Principle of Liberty. Mill's doctrine of liberty founders in the wake of the collapse of his utilitarianism.

It is to be noted that the fatal objections to Mill's doctrine of liberty are not, primarily or centrally, ones which invoke the traditional resistance to a rights-based political theory being grounded in a goal-based moral theory. They do not turn on the supposition that moral theories may be grouped, clearly and usefully, into the mutually exclusive and jointly exhaustive categories of deontic and teleological theories. True, the arguments I have advanced against Mill deploy a conventional distinction between aggregative and distributive considerations when they focus on problems of equity, but their fundamental intent is elsewhere. The most radical disability of Mill's doctrine of liberty is one that flows directly from his moral theory. It is in the inability of Mill's utilitarianism to make comparative judgments of aggregate welfare. The disaggregative or decompositional move which Mill makes in his theory of human happiness effectively disqualifies his making the aggregative judgments which are required of his theory if it is to retain its consequentialist character. This fundamental problem of commensurability is transmitted to the doctrine of liberty through the indeter-

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minacies I have noted in the Principle of Liberty itself. It is these arguments, and teleological reasonings, which prove fatal to Mill's project in *On Liberty*. It is these arguments which have led Mill's most profound critics and interpreters to conclude that no defense of liberal values that is entirely consequentialist in content can hope to be successful. This is the conclusion reached by Berlin,[10] which seems to me irresistible. Contrary to the claims of Mill's most skillful apologists, such as Wollheim,[11] Mill's utilitarianism disintegrates under the critical pressure of the arguments I have adduced into a sort of muddled and unwitting value-pluralism. It should be evident enough that from such a value-pluralism no "one very simple principle" of the sort Mill tried to state and defend in *On Liberty* can possibly be derived. Mill's project in *On Liberty* fails, and is bound to fail, if only because of the incoherences in his moral theory which we have now identified.

Mill's Predominant Liberalism

If the project of *On Liberty* fails, what of Mill's larger liberalism? The most distinctive elements in Mill's predominant liberalism are his conception of individuality and his theory of progress. It is on these foundations that his most characteristic liberalism stands—or, as I shall maintain, falls. By individuality Mill means a form of self-realization in which the powers of autonomous thought and choice that mark the human species are exercised in living a form of life in which the needs peculiar to each person's nature are satisfied. That individuality is a central value in any liberal perspective is not to be denied, but it is theorized by Mill in a radically defective way that accounts for a fundamental error in his political thought. As Mill theorizes it, each of us realizes his individuality by making experiments in living. Such experiments are embodied in plans of life, often revised or altered by the use of autonomous thought and all autonomously chosen. They are conceived and implemented by individuals who have detached themselves critically from the social conventions which surround them and who, once so detached, are able to discover the unique needs of their natures.

There are many objections, some of them fatal, to this way of theorizing individuality. By its invocation of a strong conception of autonomous choice, distanced from convention, it condemns as devoid of individuality all traditional forms of life. The man who accepts the way of life in which he was born as an inheritance to be explored and enjoyed, and who has no interest in trying out alternatives to it, can-

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not for Mill exhibit individuality, however stylish his personality may be. In ruling out traditional conduct as incapable of embodying or expressing individuality, Mill betrays a modernist prejudice which dismisses as repressive of individuality the ways in which almost all men have always lived. This objection has a reverse side. If a post-traditional society of Millian individualists were possible, it would be a society from which much variety had been drained and in which many options had been lost. At present, individuals may migrate across cultural traditions and established forms of life as well as practice variations on the one they have inherited. Again, traditions are not windowless monads, each uniquely individuated, but complex and elusive practices which mingle with and transform each other. These aspects of cultural traditions, or established forms of life, contribute greatly to the variety of experience among us. They ought to be cherished by all humanists and liberals. So far as I can see, however, they are inimical to the individuality Mill propagates, which (if it captures anything that is at all real) is a shadow cast by the form of life of the rationalist intelligentsia of late bourgeois Europe. Insofar as it has had a practical embodiment, it is in the lifestyle of the anomic bohemians of the world's great cities. It is an irony of this variety of liberalism that the conception of individuality which it celebrates should work so as to iron out differences among people to those, trivial and slight, which can be easily contained within the cramped lifestyles of Bloomsbury and the Hamptons, with cultural variety being preserved in the great cities chiefly by their sheltering vast enclaves of traditional life (often contributed by recent immigrants).

Mill's notion of experiments in living, similarly, has intractable difficulties. Human lifetimes are mostly too short to permit any of us to sample more than a very few of the ways we might live. Besides, many forms of life demand a measure of commitment which sits uneasily with the attitude of an experimenter, and many have consequences that are irreversible. There is a very deep obscurity in the criteria of success and failure which are to be applied to experiments in living—an obscurity that arises, in part, from the strangeness of Mill's notion that each person has within him a quiddity, or unique nature that is his to realize. The identities of persons are cultural artifacts, not natural facts. Each of us comes into the world with an endowment of biological uniqueness, but this becomes personal individuality only by our being initiated into a cultural tradition. We may have needs which our traditions do not satisfy or even recognize, but it makes no sense to suppose that there is in each of us a peculiar essence awaiting realization. As we know them, our identities are ramshackle and contingent

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affairs, the upshots of chance as much as of choice or endowment, they are complex and often discordant, and their careers often encompass radical or tragic choices in which some possibilities of development are curtailed or closed. As it is theorized by Mill, the idea of an experiment in living is a rationalistic fiction which neglects the artefactual character of personal identity and which does not acknowledge the dependence of personal individuality and human flourishing on a cultural tradition. This is to say only that there is much to support Hayek's attribution[12] to Mill of a false individualism in which individuality is set against social life and its sources in cultural tradition denied.

The neglect in Mill of the role of cultural tradition as the matrix of individuality infects his account of progress with a corresponding rationalist and abstract-individualist distortion. If we come to reflective awareness as practitioners of a cultural tradition, then all progress will depend on tradition, even if its result is utterly to transform the form of life which we inherit and are shaped by. The conception of tradition as the enemy of progress, and of individuals as unencumbered experimenters in living, refuses to recognize individuality as itself a cultural achievement and an artefact of tradition. Moreover, the enmity to tradition and custom which pervades Mill's work expresses his blindness to the indispensable role played by social conventions in enabling diverse individuals and ways of living to coexist without constant recourse to legal coercion. A society without strong conventions would unavoidably be chaotic, resembling not so much the bohemia which our great cities shelter, but rather a Hobbesian state of nature. The existence of social conventions is a precondition not only of peace, but also of liberty. This is so, even (or especially) when society contains—as ours does—several cultural traditions, and not a single dominant way of life. Each of these cultural traditions must exercise over its practitioners a constraint of opinion which Mill—possessed by an anxious concern with *liberte de moeurs* which is probably best explicable by his own deficiencies in self-assertion and by the self-divided contempt for bourgeois morality commonly found in intellectuals who are themselves incorrigibly bourgeois—must absurdly condemn as coercive. It is true that a liberal society need not be unified by a single moral code, but it cannot do without the coherence conferred on it by most social interactions being governed by convention. For this reason, convention and tradition are to be regarded as conditions of progress and not (as Mill ignorantly supposes) obstacles to it.

It follows from these considerations that progress is to be theorized

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very differently than it is in Mill's work. If there is such a thing as an experiment in living, it is collective and not individual, it is conducted by social groups held together by common traditions and practices and it is tried, not over a single lifetime, but across the generations. It is to experiments in living so theorized that Hayek refers when in his discussion of progress he observes: "In social evolution, the decisive factor is not the selection of the physical and inheritable properties of the individuals but the selection by imitation of successful institutions and habits. Though this operates through the success of individuals and groups, what emerges is not an inheritable attribute of individuals, but ideas and skills—in short, the whole cultural inheritance which is passed on by learning and imitation."[13]

We need not endorse Hayek's version of cultural Darwinism[14] to see in these thoughts an invaluable corrective to rationalistic theories of progress of the Millian type. As Hayek perceives, successful innovations occur in social life via the unplanned adoption of new practices and by variations on established forms of life. It is not that new ideas emerge which then take hold in society, but almost the opposite: novel practices are tried out and, if they succeed, are theorized later. In this view, intellectual progress as the growth of theoretical knowledge is typically the step-child of innovation in practical life. It is because he adopts this conception, in which the rationalist account of the relations between theory and practice is reversed, that Hayek has always followed his mentors in the Scottish School in asking what are the cultural and institutional preconditions of human progress. What allows novel and successful practices to appear, and to spread? And what inhibits them? These are questions which are barely addressed in Mill's work.

Hayek's remarks, then, embody an incisive criticism of Mill's conception of human progress. Aside from its reliance on a form of abstract individualism which suppresses the cultural matrices of individuality, Mill's account of progress—as stated canonically in the *Logic*, for example—is disabled by its uncritical intellectualism. According to Mill, it is the growth of knowledge that powers social change. For Mill, progress is an inherent tendency of the human mind, with historical development being controlled ultimately by innovation in the realm of ideas. What is most noteworthy in this conception is that the growth of knowledge is theorized as an autonomous tendency of the mind. Nowhere in Mill's writings, so far as I know, is there any extended or systematic discussion of the *institutional preconditions* of the growth of knowledge. Similarly, there is nowhere in Mill's work any

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systematic grasp of the institutional preconditions of the growth of wealth. Both dimensions of human progress are treated by Mill, with the utmost naïveté, in a psychologistic fashion in which their dependency on a specific framework of institutions is suppressed. It is, perhaps, worth remarking here that Mill's great blind-spot regarding the institutional presuppositions of intellectual and technical change was not shared by Marx, nor by the Scottish thinkers from whom Marx learnt whatever is true in his doctrine. This vast lacuna in Mill's thought is all the more surprising when one recalls his father's (admittedly primitive and culturally chauvinistic) reflections on the conditions of progress in British India, and Mill's own consciousness of the dangers of "Chinese stationariness." His insight into the conditions of progress is limited to a recognition of the role that intellectual and personal liberties have had in it. Of the liberties of ownership and enterprise, and their role in a context of stable laws in facilitating the slow emergence of commercial society in England, Mill says little.

Mill's intellectualist and psychologistic interpretation of human progress, and his consequent neglect of its institutional conditions, infect many of his proposals for reform with a sort of high-minded, and finally self-deceived, voluntarism. I do not mean by this to pass any blanket verdict of condemnation on Mill's reformist activities. Many of his proposals—for small-holdings in Ireland and for legal reforms in the status of women, for example—are acceptable from any point of view that is recognizably liberal. It is in Mill's most distinctive contributions to thought on key issues in public policy and political economy that we nevertheless confront the radical defects in the liberalism he was promoting. It is here that the traditional caricature of Mill as a fumbling and unprincipled eclectic best fits.

In his distributionist theorizings, in his proposals for a competitive syndicalism of worker-managed enterprises and in his utterly Utopian schemes for the attainment of a stationary state in the growth of population and capital, Mill evinced a distance from the real and irresistible trends of his own age which condemned his thought to political impotence. Throughout his writings on matters of policy and contemporary controversy, Mill's thought is infected with a high-minded intellectualism which, in neglecting systemic and historical constraints on comprehensive social change, succeeds only in generating delusive images of a reformed state of things which were taken seriously, if at all, only by a few devout bands of rationalist sectarians. For this reason, despite his immense influence as a logician and philosopher, Mill's political theorizing and reformist proposals had little, if any, im-

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pact on the law and opinion of his time, even as his attempt to build a half-way house between socialist and liberal theorizing about economic life was rejected or, more often, simply ignored by nineteenth- and twentieth-century working-class movements. The most distinctive feature of Mill's revisionary liberalism, motivated as it was by an interest in addressing the dilemmas of the day, is its utter practical nullity in the nineteenth century and in our own.

The limitations of Mill's predominant liberalism are partly limitations of his age, and partly of his own vision. He predicted none of the cataclysmic developments of the century following his death. Like almost all of his contemporaries, he tended always to extrapolate from the trends observable in his own time, and there is no doubt that he expected the dominant institutions of liberal England—parliamentary government and the free press, for example—to spread across the world. It could not have occurred to him that the great bourgeois civilization of 1815–1914 would turn out to be a century of peace and prosperity sandwiched between eras of war, poverty and tyranny. With the likely exception of Nietzsche, all of his contemporaries shared Mill's lack of foresight: none of them glimpsed the apocalyptic twentieth-century realities of the Holocaust and the Gulag, of the inexorable proliferation of weapons of mass destruction, the rise of totalitarian political movements and the rebarbarization of former colonial territories by tribal conflicts and fundamentalist religions. For us, Mill can for the most part be only an eminent Victorian, whose thought speaks to us as little as does that of those other eminent Victorians so memorably satirized by Lytton Strachey.

If it shared fully in the prejudices and limitations of his age, Mill's thought also had weaknesses distinctive of and even peculiar to it. In spite of his attempts to free his view of man from the crudities of classical utilitarianism, his conception of human nature still seems to us at once narrowly rationalistic and unrealistically optimistic. Modern depth psychology has uncovered dark forces in the human mind that are deaf to the voice of liberal reason. Much of the history of our century has been dominated by mass movements, which Mill's account of human nature not only failed to predict but also cannot explain. The steady trajectory of progress which he expected depended in part on the realism of his account of man. Now that we know man to be more fixed and intractable than Mill's theory allowed, we have less reason to expect the human future to be an improvement on the past. History has not been kind to Mill's project of forging a new liberalism in response to the dilemmas of his age. His suspicion of democracy, and his

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proposals for the avoidance of a democratic tyranny of the majority, remain relevant to us, even if democratic institutions have not had the permanence and irreversibility Mill expected of them. Mill's central proposals for institutional reform are crippled by a voluntaristic utopianism which fails to attend to the holistic aspects of economic systems and which has no grasp on the role played by the major institutions of commercial society in generating the steady growth in knowledge and wealth that Mill took for granted as an irresistible tendency of his time. For those reasons, Mill's project of a radical revision in liberalism is a failure, and his predominant liberalism has as little to say to us as it did to his contemporaries.

Our Liberalisms

Mill's political outlook is throughout one of studied ambivalence. His thought encompasses not one, but at least two liberalisms, of which the predominant one is the revisionary liberalism whose true progenitor he was. What chiefly distinguishes this new liberalism from classical liberalism (as that is found in the Scottish thinkers and in such French liberals as Tocqueville and Constant) is its peculiar combination of romantic expressivism[15] with hubristic rationalism. It is this revisionary liberalism, with its sentimental religion of humanity and abstract individualism, that Mill bequeathed to us and which pervades the conventional wisdom of our societies. There is another, older liberalism in Mill's work, the limits and scope of which I shall discuss later, but it is his revisionary liberalism which is replicated in all the dominant liberalisms of our time. It is reproduced, most obviously, in such revisionary liberal theories as that of Gewirth, in which a vain attempt is made to ground positive welfare rights in the necessary conditions of human action, and in that of Dworkin, in which the requirements of an inchoate right to equal concern and respect are invoked as part of a program of elevating to the status of universal truths the current banalities of American political culture. We have little to learn from these liberalisms, and nothing to hope of them.

The incoherences and indeterminacies, not indeed only of the new revisionary liberalism, but also of the older classical liberalism,[16] are evident even in that most profound and subtle contribution to liberal thought made by the work of John Rawls. At the start of any criticism of Rawls's liberalism we must not neglect to mark the many decisive advantages it has over Mill's predominant outlook. Unlike Mill's,

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Rawls's liberalism is not disabled by the demands of a maximizing consequentialism which spawns inequities in the distribution of liberty and presupposes judgments of aggregate welfare which we are rarely in a position to make. Further, Rawls's central principle of liberty is not an intractably vague and inherently controversial harm principle[17] but instead a principle of greatest equal freedom which, despite its own difficulties, is a major advance on Mill's principle. Finally, and perhaps crucially, Rawls's liberalism, unlike Mill's, is explicitly a strictly political doctrine, which aims to depend at no point on comprehensive and disputable moral doctrines. For this reason, it does not depend on any endorsement of specific ideals of autonomy or individuality, though the legal order it sponsors will protect these ideals, along with their rivals. In all these respects, Rawls's liberalism has crucial advantages over Mill's.

At the same time, Rawls's liberalism shares with Mill's certain deep, and in my view intractable difficulties. These first and foremost have to do with the determinacy of the principles the theory is supposed to yield, and they are perhaps best considered in the context of Rawls's account of the content of the principle prescribing priority of liberty over other political and social goods. On the positive side, it is to be noted that in both of its formulations—as the Greatest Equal Liberty Principle and as the principle prescribing the most extensive system of equal basic liberties—the principle operates as a side-constraint and not as a maximizing principle. It aims to distribute the good of liberty to each, as each is owed it in justice, and not to try to maximize the good of liberty subject to the competing claims of other goods. This feature of Rawls's liberty principle is an important merit of it in terms of its consistency with a liberal view in which persons are respected as ends, but it has (as I shall argue later) problems which afflict and paralyze any liberal principle of liberty which aims at fixity and determinacy. At this stage I wish to comment only on certain disabling aspects of Rawls's account of the priority of liberty as it has been developed in his recent work. As will be recalled, Rawls took a disaggregative or decompositional turn in regard to liberty when, in response to Hart's demonstration of the indeterminacy of the greatest liberty[18] he gave a content to his principle of liberty by working up a system of basic liberties. The disaggregative move was a boldly constructive one, inasmuch as Hart's challenge seemed otherwise bound to deprive liberalism of definite prescriptive content. For Hart's thesis, stated in its most fundamental and radical form, was that judgments of greatest or greater liberty could not in general be made without presupposing

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assessments of the importance, worthwhileness or value of the interests and involvements which the liberties under consideration facilitated or promoted. But this argument, if (as I think it is) valid, gives a death-blow to the currently fashionable neo-Kantian and Anglo-American species of liberalism in which neutrality in respect of specific conceptions of the good is specified as part of the constitutive morality of liberalism.[19] It does so because it establishes that judgments of on-balance or maximal liberty express or rest upon judgments about the value or worth of the activities thereby released from restraint.

The ingenuity and resourcefulness of Rawls's rejoinder was in his combining a deliberately thinned-out and political conception of the good with a disaggregated and non-maximizing account of liberty. For all its radicalism and subtlety, however, Rawls's move fails, and its failure carries with it the coherence of liberalism as that political philosophy devoted to the priority of liberty, however conceived.

First, as I have argued elsewhere,[20] there is no compelling reason given in Rawls's later work for the attribution of *fixity* to the basic liberties. If, as Rawls correctly maintains, the content of justice as fairness is a distillation of the cultural and constitutional traditions of Western Europe and the English-speaking democracies, there seems no reason why the content of the basic liberties should not vary as those traditions themselves change. Technological developments, cultural mutations, and the impact of contending political movements, will amend and transform the underlying traditions over time, so that some liberties that have hitherto been basic will wane and cease to be so, while others which have not will wax and become part of the basic set. The argument may be put in another way. It seems indefensible and unreasonably conservative for a particular moment in the life of the underlying traditions of the societies with which we are concerned to be selected and privileged as yielding a structure of basic liberties which, once derived, is carved in stone. I say this even though I have elsewhere argued,[21] and still hold, that Rawls's contractarian method is not, and cannot be neutral in respect of the justice of rival economic systems, and therefore (in our circumstances) plausibly privileges certain economic liberties.

The deeper difficulty has to do with determinacy rather than fixity. Why is it supposed that a uniquely determinate set of basic liberties can be distilled (or constructed) from any given moment in the life of our political tradition? This second problem has itself at least two aspects. There is no reason that I can see for supposing that, even if we

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can reach agreement on the list of basic liberties, we can similarly come to convergence on the content of each of them. Even if freedom of expression, say, be agreed upon as one of the basic liberties, there is nothing in the theory of the basic liberties to tell us whether pornography (for example) is or is not protected as coming within freedom of expression. The content of each of the basic liberties is likely to be highly indeterminate. But, further, different specifications of the basic liberties will yield different conflicts among them. If the content of each basic liberty is underdetermined by the theory of justice as fairness of which it is a central part, as I believe it is, then there is nothing to say that the system of basic liberties can be contoured so as to preclude conflict within it. Indeed, it is inherently plausible that the demands of the basic liberties will often conflict with each other—as, for example, when freedom of information collides with freedom as privacy—and I am unconvinced that such conflicts can be arbitrated within the theory. Finally, and most fundamentally, the borderline between the basic liberties and those that are not basic seems to be, not only variable over time, but often indefinite at any one time. The constitutionalist presumption that liberties may be ranked lexically into two categories, basic and non-basic, is defeated by judicial practice even in those jurisdictions, such as that of the United States, which refuse to acknowledge that conflicts among liberties often express the claims of contending political movements. The upshot of these multilayered indeterminacies in Rawls's system of basic liberties is radical indeed. It is that no Principle of Liberty of the sort assigned a constitutive place in the political morality of liberalism—be it a Harm Principle, a Greatest Equal Liberty Principle, or an account of the basic liberties—can be coherently or definitely stated.[22] In that case, liberalism itself becomes indeterminate and barely coherent. This is a result that undermines liberalism in both its revisionary and its classical formulations.

That classical liberalism is undone by this result, no less than revisionary liberalism, may be seen if we look briefly at recent attempts to restate and revise classical liberalism. Those formulations of contemporary classical liberalism that rest upon or issue in a theory of fundamental rights need not long detain us. Aside from its well-known foundationlessness and its dubiously Lockean character, Nozick's libertarian liberalism founders in the vagueness (and indeed opacity) of its central right or rights.[23] Lomasky's much richer and deeper account[24] nevertheless fails to give guidance as to how conflicts among rights are to be adjudicated and, at its foundational level, oscillates un-

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easily between a Kantian attribution of intrinsic value to project-pursuit and a Humean conventionalist view of justice as a system of conventions whose observance is to the advantage of project pursuers. Fundamental rights theory is in all of its forms subject to these vaguenesses and to the criticism, developed conclusively by Raz in his recent masterly study,[25] that no political morality can ultimately be rights-based. Recent consequentialist formulations of classical liberalism fare little better. In Hayek's system, to take the most systematic among recent statements, the priority of liberty, and its demands, are secured by a mistaken account of the rule of law as necessarily having a liberal content, and by an undefended conception of progress, in which a system of liberties encompassing economic freedom of enterprise is defended as most conducive to material prosperity. For all the energy with which this view is worked out, it collapses in the end into a sort of cultural Darwinism which is easily criticized.[26] Further, like any theory of progress, Hayek's is beset by intractable problems, akin to those which cripple Mill's account of happiness, inasmuch as it depends on the possibility of comparative judgments as between epochs and cultures having many elements that are incommensurable. The newer classical liberalism is then just as vulnerable to disabling indeterminacy and value conflict as Rawls's revisionary liberalism.[27]

The lack of definite content of all our liberalisms with respect to the nature, distribution and limits of the liberty they seek to prioritize may be approached from another, and at first glance apparently contrary perspective. For consider the device of the veil of ignorance in Rawls. Whereas its aim is to assure impartiality, its effect is to deny to the contractors knowledge of the particularities—the life histories, historical inheritances and chosen attachments—which are constitutive of their identities. This is to say that, whereas few, if any, of us are Sandel's radically situated selves, we are all of us the characters we are in virtue of a network of diverse, sometimes conflicting involvements and commitments, some chosen, others inherited. The device of the veil of ignorance is like any other universalizing move in devaluing the particulars which make us what we are for the sake of an abstract subjecthood which privileges the liberal form of life. We are then not Sikhs or Poles, Palestinians or Israelis, blacks or WASPs, but merely persons, rights-bearing (and, doubtless also, gender-neutral) ciphers. The conception of abstract subjecthood which Rawls models in his conception of the person, whereas it does not exhibit the absurdities of Mill's notion of individuality, yet shares with Mill's conception the property of illicitly privileging the liberal form of life. Thus, the defi-

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nite content which liberalism lacks as a genuinely culture-transcending doctrine is, accordingly, given it by its dependency on a particular cultural tradition—that which has secured a precarious hegemony over the miscellany of cultural traditions that Western societies harbor. It is in the truth that liberalism's universal standpoint gains content only by its secreting a particular local perspective that liberalism's central and fatal incoherence is found.

After Liberalism

I have argued that Mill's work contains not one, but at least two liberalisms—a preponderant revisionary liberalism which is the progenitor of our presently dominant liberalisms, and an older liberalism which harks back to the thought of the Scottish School and is informed by the realism and disillusionment of the post-revolutionary French liberals. Further, I have contended that both of the liberalisms spawned by Mill's work—that is to say, all our liberalisms—confront intractable problems of value-conflict and indeterminacy with respect to their constitutive principles. Finally, I have sought to identify as the core incoherence of liberalism as such the attempt to adopt a universal standpoint—whose content, however, turns out to be given by the local knowledge of Anglo-American political (or academic) culture. I submit that these difficulties of liberalism, together with the manifest historical and contemporary evidences of its exhaustion and debility as a practical political tradition, warrant our abandoning liberalism as a political doctrine.

Where, then, does the relinquishment of liberalism leave political thought, as it struggles to gain a leverage on political practice? "They (the liberals) were no doubt right," says Santayana, "to be confident that the world was moving toward the destruction of traditional institutions, privileges and beliefs; but the first half of the twentieth century has already made evident that their own wealth, taste and intellectual liberty will dissolve in some strange barbarism that will think them a good riddance."[28] No doubt we would like to think Santayana mistaken in his assessment of the post-liberal condition, but how in any case is it to be theorized? It is far from my intention (or ambition) to attempt to sketch, even in outline, what a theory of post-liberal life (or, what comes to the same thing, of post-modernity) might look like. Two points are nonetheless clear. The sustaining myths of liberal modernity—myths of global progress, of fundamental rights and of a

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secular movement to a universal civilization—cannot be maintained even as useful fictions in the intellectual and political context of the last decade of our century. If liberalism survives as a political faith, it will be in the irrelevant and formulaic way that Marxism has done in communist lands. The action, intellectual and political, will be elsewhere. The second point is that, with the abandonment of the hallucinatory perspective of universality, it is natural to seek to return theorizing to a consideration of the particularities of our circumstances, candidly recognized as such. Theorizing must then address human beings as we find them, with their particular histories, loyalties and enmities. Such a move back to particularity cannot be innocent of a subversive impact on practice, however, inasmuch as our public rhetoric is still animated by the "fantasies of the *saeculum rationalisticum,* amid the dim ruins of which we now live."[29] The very acknowledgement that liberal principles are a distillation from local practice, and not the deliverances of autonomous reason or the *telos* of historical development, must subvert current political practice insofar as it becomes reflexively a moment in public consciousness. Theorizing the post-liberal condition is, for these reasons, likely to be a factor in bringing it about, to the extent that theorizing the limitations of the liberal understanding is already to mark, and so to transgress, the limitations of liberal political culture.

As to the positive content of a post-liberal political theory, I have little to say on this occasion. A few remarks may be in order, however. Abandoning the fiction of universally apodictic rights or principles of justice, and returning to human beings in all their miscellaneity and local varieties, may well suggest the cogency of a perspective in which political life is theorized as the pursuit of a Hobbesian *modus vivendi.* Lacking universal principles with which to secure peaceful coexistence among us, we resort to compromise, bargaining and, in extremity, to the judicious use of force to preserve the peace. Though I cannot justify or defend this view here, I suggest that a Hobbesian view of political life, freed of the crudities of Hobbes's anthropology and psychology, and incorporating Humean insights into the role of conventions in doing what coercion alone cannot do to maintain peace, is likely to emerge as a powerful idiom in post-liberal theorizing. A perspective in which political life is viewed not as the attempt to realize abstract principles or ideals, or as a project of world-improvement, but as the pursuit of intimations of peace (never itself to be achieved) may, also, incline the theorist to assess much of our historical inheritance of

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institutions and practices from that point of view. The rule of law, a system of private or several property and the limitation of governmental authority by constitution or (as in Britain) long-established precedent may be seen as devices for circumventing occasions of conflict and for arbitrating it when it occurs. (It will be a distinctive feature of this view that, unlike any liberal view, it will acknowledge that not all occasions of conflict can be avoided, or resolved peacefully. It will indeed seek to return to consciousness that repressed idea—the idea of an insoluble political problem.) To this extent, post-liberal theorizing cannot easily avoid endorsing many of the institutions and practices that form part of the inheritance of liberal societies. In theorizing liberal practices as contingencies, as mutable artifacts which human inventiveness has forged in response to the singularities of our history and circumstances, we disprivilege liberalism itself, and acknowledge it to be only one among the political forms in which human flourishing may occur. If (as I would myself hope) we retain much of our historic inheritance of liberal practice, it will inevitably suffer mutation and amendment now that our view of it is at least partly external.

It follows from these reasonings that a post-liberal theorizing of political life is inherently unlikely to be conservative in its relations with current (that is to say liberal) political practice. Other than that, it has no very determinate implications for practice. For it is distinctive of a post-liberal form of theorizing, I suggest, that in abandoning the search for universal principles of justice or rights, and returning thought to the vicissitudes of practice, it also relinquishes the liberal illusion that theory can ever govern, or even substantially illuminate practice. In insisting that what is essential in political life—the identities and communities which make us who we are—is contingent and accidental, and in refusing the myths of universal humanity and personhood, post-liberal thought also acknowledges the likelihood that its own prophylactic impact on practice will be limited. In repudiating liberal rationalism, we accept that our own criticisms of it are likely to have consequences that are restricted, but also inherently unpredictable. In this, we only acknowledge the homely truth that theory is the step-child of practice—a truth which many (especially in liberal cultures) will find boring, or even depressing. But, as one of our century's greatest liberal thinkers has recently noted,[30] there is no a priori reason for supposing that the truth, when it is discovered, should necessarily prove interesting; nor, I should add, that it be particularly comforting.

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NOTES

1. For an account of the revisionary Mill scholarship, see John Gray, *Mill on Liberty: A Defence* (London: Routledge and Kegan Paul, 1983), especially 131–32n17.
2. On the self-defeating effect of many kinds of consequentialism, see Derek Parfit, *Reasons and Persons* (Oxford: Clarendon Press, 1984), Part One.
3. This is the argument of D. H. Hodgson in his *Consequences of Utilitarianism* (Oxford: Clarendon Press, 1967).
4. J. S. Mill, *Utilitarianism, On Liberty and Considerations on Representative Government* (London: Dent, 1972), 72.
5. I consider this ambiguity in my *Mill on Liberty,* 58.
6. James Griffin, *Well-Being* (Oxford: Clarendon Press, 1986).
7. See *Mill on Liberty,* 48–57.
8. See *Mill on Liberty,* 63–69.
9. *Mill on Liberty,* 28–42.
10. Isaiah Berlin, "John Stuart Mill and the Ends of Life" in *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), 173–206. I have myself defended Berlin's value-pluralism in my "On Negative and Positive Liberty" in *Conceptions of Liberty in Political Philosophy,* ed. John Gray and Z. A. Pelczynski (London and New York: Athlone Press and St. Martin's Press), 1984, 321–48.
11. Richard Wollheim, "John Stuart Mill and Isaiah Berlin: the Ends of Life and the Preliminaries of Morality" in A. Ryan, ed., *The Idea of Freedom* (Oxford: Oxford University Press, 1979), 253–69.
12. F. A. Hayek, "Individualism: True and False" in *Individualism and Economic Order* (London: Routledge and Kegan Paul, 1976), 1–32.
13. F. A. Hayek, *The Constitution of Liberty* (London: Routledge and Kegan Paul, 1960), 59.
14. I have criticized Hayek's cultural Darwinism in my *Hayek on Liberty,* 2nd ed. (New York: Basil Blackwell, 1986), 140–45.
15. A more sympathetic view of expressionist or romantic liberalism is given by Nancy Rosenblum in her recent *Another Liberalism* (Cambridge, Mass.: Harvard University Press, 1987).
16. I have distinguished and discussed classical and revisionary liberalism in my *Liberalism* (Milton Keynes and Minneapolis: Open University Press and University of Minnesota Press, 1986), particularly in ch. 5.
17. I characterize Mill's principle of liberty in this way, notwithstanding Joel Feinberg's definitive investigation of it in his magisterial *Harm to Others* (New York: Oxford University Press, 1984).
18. For a more extended discussion of this point, see my paper, "Liberalism and the Choice of Liberties" in *The Restraint of Liberty,* ed. J. Gray, T. Attig and N. Callen, Bowling Green State University Studies in Applied Philosophy.

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19. For a powerful critique of neutralist liberalism, see Joseph Raz's *The Morality of Freedom*, ch. 5. The best defense of neutralist liberalism is in Bruce Ackerman's *Justice in the Liberal State*.
20. See my paper "Contractarian Method, Private Property and the Market Economy," forthcoming in *Nomos: Justice and Markets*.
21. See the paper mentioned in n20.
22. I pass over Dworkin's claim that the constitutive morality of liberalism has to do with equality not liberty, since I believe the indeterminacy of Dworkinian equality is even more hopeless than that of traditional liberal liberty.
23. I argue this point in "Liberalism and the Choice of Liberties," n18 above.
24. See Loren Lomasky, *Persons, Rights and the Moral Community* (New York: Oxford University Press, 1987).
25. See Raz, chs. 7 and 8.
26. I have criticized Hayek's cultural Darwinism in *Hayek on Liberty*, 2nd ed., 140–45.
27. I distinguish between classical and revisionary liberalism in *Liberalism*, ch. 5.
28. George Santayana, *Dominations and Powers*, 438.
29. Michael Oakeshott, *Hobbes on Civil Association*, 71.
30. Isaiah Berlin, "On the Pursuit of the Ideal," *New York Review of Books* (March 17, 1988): 18.

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Loren E. Lomasky

AGREEABLE MORALITY?

MORALS BY AGREEMENT

by David Gauthier

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"What is it that I should do?" Two sorts of answers are forthcoming, each predicated on a different interpretation of the question. The first parses it as commencing a *moral* inquiry. Typical responses will feature terms such as "duty," "*everyone's* well-being," "justice," "rights" and other terms at home in various ethical theories. The other takes the question to be about what one has *reason* to do: what will most expeditiously advance one's interests, whatever they may be.

The gap between these two modes of construing practical decision is considerable. Whatever else morality may be, it is at least the imposition of certain constraints on the pursuit of interest. But rationality, as commonly understood by contemporary rational decision theorists (and not them alone; Hobbes is their conspicuous forerunner), is doing the best one can by one's preferences: in the technical vernacular it is *utility-maximization*. Does it not therefore immediately follow that the respective interpretations of the question will give divergent answers as to how one should act? To accept constraints on one's actions is to eschew utility-maximization; to be a straightforward maximizer is to reject constraint.

The conclusion is profoundly disturbing. One can be thoroughly rational only by dispensing with morality, and to be a moral individual one must accede to deficiency in the exercise of practical reason.

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Or so it seems. Since Plato it has been a central project—perhaps *the* central project—of moral philosophers to demonstrate that the alleged inconsistency between rationality and morality is illusory, or at least that it can be brokered.

David Gauthier's *Morals by Agreement* is a formidable recent entrant into the lists. Through a series of subtle yet entirely tough-minded arguments, Gauthier attempts to show that rational individuals will dispose themselves to be moral, and they will do so not in contravention of their rationality but in its service. Nor is Gauthier reticent in identifying the morality that rationality recommends: it is unmistakably that of liberal individualism. Gauthier pulls no punches, and the philosophical skill with which he directs his argument is formidable. It would be churlish to categorize *Morals by Agreement* as other than a signal contribution to moral philosophy. But does it effect the desired harmonization of morality and rationality? I am convinced that it does not. That is because Gauthier's understanding of *rationality* and *morality* are both too straitened to explicate adequately what it is for someone to be a rational, moral person. Nonetheless, the failure is only partial, and it is instructive. Gauthier accomplishes a great deal; by seeing where he falls short one achieves a better sense of what an accommodation of morality and rationality would look like if it is indeed achievable at all.

Rationality and Morality

As noted above, Gauthier is hardly the first philosopher to attempt to show that reason prescribes adherence to morality. Nonetheless, his attempt is distinctive. More perhaps than any of his predecessors, Gauthier deliberately eschews shortcuts that would facilitate the bridging. In particular, he rejects both Platonic and Kantian strategies on the grounds that each illicitly builds into the conception of rationality more than it can legitimately carry. And while he (quite correctly) presents his own strategy as modeled on that of Hobbes, he ultimately characterizes Hobbes's system as one in which rationality may be well served but in which moral motivation is strikingly absent. We can better understand Gauthier's conceptions of rationality and morality by contrasting it with those of these three predecessors.

In *Republic* II, Glaucon challenges Socrates to show that morality is "naturally good" and not merely an unwelcome necessity imposed on us by threat of external retribution. (It is actually the value of *justice* for

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which Glaucon seeks an account, but as will be seen, Gauthier largely identifies the whole of morality with justice.) The best life, Glaucon suggests, is that in which interest is advanced with no concern for justice and with no penalty consequent on that disregard. The worst life, though, is to be subject to injustice and unable to penalize the perpetrator. Because the badness of the bad outweighs the goodness of the good, we accede to justice as a mean between the value extremes. If, however, a man could act as a god and pursue his desires without threat of reprisal, then surely he would pay no heed to justice. He would, that is, rationally act as an unconstrained utility maximizer. Or, politely inquires Glaucon, does Socrates believe he can show otherwise?

Scholars are sharply divided amongst themselves concerning how to understand Socrates' response. Central to it, however, appears to be the positing of an objective good incommensurably superior to each and every one of the subjective goods that may be desired by the unjust man. So a plausible interpretation of the *Republic*'s response to Glaucon's challenge is that there exist things good in themselves (chief among them the Form of the Good); that reason is the faculty by means of which one identifies such goods; and that the rational man will be drawn to adhere to that which is objectively good and thus reject immoral maximization.

Gauthier rejects all three claims. He denies the existence of goods distinct from individuals' various preferences: "[V]alue is created or determined through preference. Values are products of our affections" (47). Objective values are dismissed on the grounds that they serve no part in the explanation of why people act as they do: "Objective value, like phlogiston, is an unnecessary part of our explanatory apparatus, and as such is to be shaved from the face of the universe by Ockham's razor (56). But that means that there is no good for reason to commend in place of those to which our affections happen to draw us. Instead, reason plays the familiar Humean role of a purely instrumental faculty, alerting us to the means conducive to satisfying our preferences but standing mute with respect to the content of those preferences themselves.

Kant's attempt to derive a rational foundation for morality fares no better. Kant denies that preference-motivated action can exhibit moral worth, even if that action is elicited by preferences that exhibit sympathy for the well-being of others. Only that which is motivated by what he labels "pure practical reason" stands as moral. But for Gauthier reason divorced from preference prescribes nothing. While Kant

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correctly separates morality from fellow-feeling, he is mistaken in believing that reason affords us substantive ends. If morality is to be rational, it must be superimposed on whatever ends we utility maximizers happen to have.

Hobbesian man comes on stage with neither sympathy for his fellows nor with a "reason" that professes any task other than utility-maximization. Subject only to minor qualifications, he is the rude fellow that Gauthier aims to moralize. That is a task left unaccomplished by Hobbes, because whether in the state of nature of in civil society, Hobbesian man is an unconstrained maximizer. Progress is not in him but in his institutions. In the state of nature each acts as best he can to achieve his own ends, and so too within the confines of Leviathan. In the latter, however, the long arm of the sovereign ensures that violation of the terms of the enabling covenant will be met by a utility-diminishing response. An individual will still do whatever he can get away with, but he will be able to get away with far less.

Hobbesian man is incorrigible, from first to last thoroughly lacking the disposition to forgo any attainable advantage. So political structures must do what in other treatments is assigned to morality. Rationality is preserved, but at considerable cost. Sovereigns' services do not come cheaply; because they too are unconstrained maximizers they extract whatever they can to advance their own ends. If morality could replace by an internal bar the external check on behavior that the sovereign power represents, we would all be far better off than in the natural state of the "war of all against all," better off even than as subjects of Leviathan. But is that possible? That is, can any coherent sense be made of individuals motivated to maximize personal preference satisfaction yet disposed to constrain their pursuit of interest? Gauthier claims that it can.

Bargaining and Rational Constraint

Morality would be neither possible nor necessary if straightforward individual utility-maximization always generated Pareto-optimality: that is, an outcome in which no one could be made better off without at least one person thereby being made worse off. However, a little reflection reveals that noncooperative maximizers may well find themselves mired in suboptimality. It is in Smith's interest to guard against predation by Jones and in Jones's interest to guard against predation by Smith. Each acts rationally to divert a share of his resources to de-

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fense, yet the result is that each retains less for consumption. If only they could come to a binding agreement to forgo predation, each would be materially better off. The generalized form of this interaction problem is known to decision theorists as the Prisoner's Dilemma (so-named in virtue of the particulars of an early instance of the genre). The Prisoner's Dilemma illustrates that what may be individually rational is nonetheless collectively irrational. To put it another way, rational individuals enmeshed in a Prisoner's Dilemma will observe that each would be better off if everyone were induced to forgo straightforward maximization for the sake of a cooperative strategy. Like sailors tacking into the wind, non-maximizers accrue greater utility than do maximizers.

The subsequent plot of *Morals by Agreement* may seem preordained. Because the fruits of cooperation exceed those of individual utility-maximization, rational individuals will agree to cooperate. Morality is nothing other than the terms of that cooperation. Can it really, though, be as easy as that?

No, it cannot. At least two conspicuous difficulties remain. To conclude that individuals rationally will elect to cooperate is not yet to specify the terms of their joint activity. Only in decision theorists' simplified models is the distribution of the cooperative surplus neatly spelled out in advance. In practice, however, the distribution can range anywhere from complete equality among all parties to the total subservience of one to the other (subject only to the qualification that acquiescent subservience achieve greater utility than would noncooperation). A yet more immediate problem concerns the reason a party to the agreement has to *comply* with its provisions. As Glaucon noted, all-around cooperation may be better for oneself than its complete absence, yet better still is an outcome in which *everyone but oneself* is constrained. So while it may be reasonable for Smith and Jones mutually to agree to forgo predation, each recognizes that it is rational to break that agreement whatever the other may elect to do. The consequence, of course, is that the Prisoner's Dilemma reemerges in all its unloveliness.

Here is one possibility: persons, insofar as they are rational, will simply find themselves unable to be mutually bound by the compacts into which they enter. Thus they will do less well for themselves than they would have done had their Creator been less bountiful in supplying them so full a quota of rationality. There is an air of paradox to the suggestion, but it also can be seen as ineluctably stemming from the

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conception of rationality as purely instrumental. How we act has a hold on what will come to be, but the past is irretrievably fixed. Therefore, it can be argued, a thoroughly reasonable individual will regard all past events as strictly immaterial to how he might best comport himself *now*. In particular, covenants to which he has sworn are only so many spent words; what matters are prospects before him for securing maximum advantage. Only a device such as Hobbes's sovereign could afford him reason to comply.

Gauthier offers a different prognosis. Rational individuals are aware of the compliance dilemma. To be non-compliant, and to be recognized as such by one's fellows, is to forgo the benefits that cooperation could bring. Therefore, one will rationally undertake to *remake* oneself, to develop a predisposition toward self-constraint. More precisely, one will do so if and only if (i) there exists in one's environment a sufficient number of similarly motivated individuals; (ii) prospects for gain from successful ventures at cooperation exceed expected losses from aborted attempts at cooperation with non-cooperators; (iii) one can determine through observation whether others are predisposed to cooperate. With regard to the third condition, it is unnecessary that the dispositional traits of others be entirely *transparent*, i.e., ascertainable with certainty, but only *translucent*, providing an assurance that exceeds guesswork (174). Not in all possible worlds, but arguably in various quarters of this one, it is rational to cease being an unconstrained maximizer and to develop the habits of morality.

This is the pivotal turn in Gauthier's argument. If it fails, rationally based morality drowns in a sea of non-compliance. My suspicion is that the waves are not far off. The psychological plausibility of the disposition required of would-be contractors is dubious. What is it to be "remade" as simultaneously rational (a maximizer of one's own interests) and disposed to keep bargains that one *knows* will make one worse off? Gauthier does not, so far as I can see, provide a clue. Indeed, the conspicuous absence in this closely argued volume of any account of how one would go about engendering in oneself such a disposition, or how one so predisposed would represent to himself the reasons for complying with a utility-diminishing agreement, creates the suspicion that Gauthier simply finds his philosophical musket empty. Weakness at this juncture imperils all subsequent prospects of deriving morals by agreement.

However disabling it may be, the stress point is revealing. I believe it to exhibit a fundamental inadequacy in the concept of rationality

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wielded by Gauthier. Consider the following two hypothetical solutions to the compliance problem:

A. There exists a pill/psychoanalytic regimen/course in moral instruction which, if taken, will immediately render one disposed to comply with all previously undertaken agreements, to do so mechanically and with nary a thought of the gains that would be forthcoming upon defection. Accordingly, and in the plain sight of all others, we take the pill/regimen/course.
B. Through interaction with others we develop affection for them. We no longer feel inclined to treat them as mere means to our own ends. Fair dealing is valued for its own sake. Accordingly, we typically comply with agreements freely entered.

A is not open to Gauthier. Even though it would solve the compliance dilemma, it does so by rendering the parties less than fully rational. That is, their subsequent compliance would not flow from any *reason* to be compliant. It would be something that *happens to them* rather than something they (rationally) *choose*.

Less apparently perhaps, B is similarly closed off. That is because B presupposes the development of specific sentiments of regard toward others. Although possession of these sentiments is not inconsistent with rationality—Gauthier nowhere mandates that rational persons must be psychological egoists—it is not a circumstance that can be strictly deduced from rationality. Reason tells us nothing concerning whether one should value others' well-being. Thus the solution suggested by B would not be universally applicable to all rational agents as such, but only to those who happen to be appropriately socialized toward the welfare of others. The rational knave would be unmoved.

I believe that a suitably augmented B does represent the most promising strategy for exhibiting the reason of morals. Gauthier is not unaware of B, but he understands it to be incompatible with his program. If, as I believe, that program founders, the conclusion to be drawn is not that a rationally based morality is unattainable but that a less ascetic understanding of rationality must be invoked to explain to us why we have reason to be moral.

To relax the regimen commended by Gauthier is, to be sure, not costless. In particular, it may well become impossible to supply the confirmed misanthrope a conclusive reason to constrain his maximizing behavior. Some philosophers take converting the misanthrope to be *the* sine qua non of moral theory. Gauthier is to be counted among them. Others, including myself, are willing to leave the misanthrope

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to the tender mercies of the sovereign, instead concentrating their energies on those possessed of a minimal level of other-regarding propensities. Unlike Gauthier's, our church makes no profession of complete catholicity, but its rites have other attractions.

Minimax Relative Concession

Agreement minus robust prospects of compliance is sterile. I have argued that Gauthier's conception of rationality generates no progeny. Suppose, though, that the preceding criticism can be escaped. There yet remains the question: under what terms will individuals agree to cooperate? That is, given the availability of a cooperative surplus, what form will its distribution take?

Gauthier expends considerable effort in constructing a response. Along the way many complex and important issues in rational decision theory are broached. Readers whose interests lie in that direction will find this discussion worth the entire price of admission. I shall not, however, enter into its details but skip ahead to the recommended decision procedure. It is the principle Gauthier calls *minimax relative concession*. Briefly, each prospective contractor determines the utility that he would accrue if (i) he were awarded the entire cooperative surplus; (ii) he were not a party to the agreement. The difference between the two (possibly zero) is each person's *stake* in the cooperative activity. One's *concession* is the proportion of one's stake foregone. Finally, rational contractors will choose to distribute the cooperative surplus so as to minimize the concession required from the individual required to concede the most.

It is impossible in this limited confine to do justice to the strength and subtlety of Gauthier's argument to this result. But while I admire the ingenuity of the construction, I question its salience for moral philosophy. It rests on what I take to be the thoroughly implausible assumption that each contractor can ascertain for every potential distributive outcome relative utility measures for himself and all other contractors. In *Morals by Agreement* Gauthier explains how in theory such utility measures can be derived by eliciting preferences over a series of lotteries. The theory standing behind the measurement of relative utility is, however, exceedingly shaky. I am persuaded that utility measures so derived would tend more often than not to be an artifact of the survey process rather than an accurate gauge of any underlying utility function. That, though, is an argument to take up on another

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occasion. I content myself with the observation that we *do not and could not* effect agreements via any such procedure. Consequently, it must suffice to accept as legitimate any contractual terms to which the parties *voluntarily* enter. So long as fraud and coercion are absent, anything goes.

Or almost anything. One can easily specify conditions under which voluntary agreements have a malodorous air. If Fred falls into a ditch from which only Felicia can extricate him, but she demands his entire fortune as the price for rescue, Fred's concurrence with this hard bargain may leave us unpersuaded that he and Felicia have hit upon a fair division of the cooperative surplus. Less fancifully, circumstances of monopoly, imperfect information, differential transaction costs, and so on can generate bargains of dubious moral propriety.

It is because Gauthier wishes to avoid sanctioning such lopsided agreements, and also because he wishes to specify a *general* distributive formula rather than leave distributive shares indeterminate, that he endorses minimax relative concession. While I respect the rationale, his alternative is scarcely less flawed. Suppose counterfactually that relevant utility measures were readily available. Would minimax relative concession avoid unsavory distributive outcomes? It would not. Consider:

I. Mike is concerned only for his own welfare. Millicent, on the other hand, gains utility from benefits that accrue to Mike. (In the jargon of the decision theorist, they exhibit, respectively, independent and interdependent utility functions.) Minimax relative concession dictates that Mike receive more of the cooperative surplus than he would have received had Millicent been purely self-interested.

II. Peter's preferences range over *positional goods,* Paul's do not. By a positional good we mean one that makes essential reference to being advantaged vis-a-vis someone else: e.g., being *first* in the race, owning the *nicest* house on the block; being the *most admired* philosopher in Minnesota. Peter thereby will receive a greater share of the cooperative surplus than would have been the case had he no regard for positional goods.

These problems are inconvenient enough. However, it gets worse. Application of minimax relative concession would show the market to be a thoroughly unsavory institution. An example: David is selling copies of *Morals by Agreement* for $10/volume. I am *wild* over the book and would have agreed to pay any amount up to $50 to secure a copy.

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You, however, are less enthusiastic. You find it in your interest to pay $10 for a copy but would decline to purchase if the price were more than a few cents higher. It follows that I am exploiting you and David in our cooperative enterprise. That is because the utility I accrue from participation is far in excess of that which you (and David) enjoy. Things will be set right only if the state taxes my purchase heavily and distributes the proceeds between the two of you.

This is absurd. It also clashes with Gauthier's identification of the market as a "morally free zone," that is, an arena in which no constraint on maximizing behavior is called for. Strictly speaking, however, there is no inconsistency. Gauthier includes within the perimeter of the morally free zone only *perfectly competitive markets*. A market in which consumer surpluses differ among individuals might (I am not sure of this) be described as one failing to exhibit perfect competition. The point is exceedingly fine. What is not so fine is that any real market, any market in which some buyers and sellers are operating at the margin and others are not, will be condemned as unjust by the rule of minimax relative concession. Gauthier does not acknowledge this result, but I cannot see how it is to be avoided. If I am correct, *Morals by Agreement* turns out to be the opposite of the brief for liberalism it professes to be. Gauthier has been roundly criticized in certain quarters as an antediluvian rightist. This result may reconcile him with the antediluvian left.

Between random hard bargains confined to ditches and ubiquitous market exchange, I would elect to preserve the legitimacy of the latter and worry at some other time about whether in my philosophical bag of tricks I have some means to rule out the former. Therefore, minimax relative concession is rejected as a basis for contractual undertakings. Uncoerced contract, I suspect, whatever its distributive ramifications, better satisfies the demands of moral legitimacy.

The Proviso

Morals by agreement commences from a standpoint of individual maximizers out for what they can get. However, throughout their bargaining they are depicted as respecting the person and property of those with whom they transact. This is a thoroughly non-Hobbesian supposition! Whence the respect for rights?

In chapter 7 Gauthier develops an answer. Much abbreviated, it goes like this: rational individuals desirous of escaping the rigors of the

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state of nature will realize that cooperation provides a means of egress. However, prior to the onset of cooperation some will have achieved differential gains through oppression of others. Both the advantaged and the disadvantaged stand to gain from cooperation. However, there remains the question: will the advantaged relinquish their ill-gotten gains as a condition of subsequent cooperation, or will the terms of peace incorporate those gains? Gauthier argues that the former will occur. That is because, essentially, bargains made from a position of differential advantage will be unstable. As soon as the lash is off the back of the dispossessed, they will abrogate the terms of the pact and demand that it be replaced by one in which coercively extracted gains are returned. So, in the interests of stability, usurpers will rationally accede to reparations. Each will retain only that which was gained without harming others. The details, suitably limned, constitute Gauthier's reworking of the "Lockean Proviso" ("enough and as good . . . left for others").

I hope that the implausibility that leaps from this scenario is not entirely due to the sketchiness of the reconstruction. Rather, I am convinced that it is inherent in Gauthier's defense of the proviso. The claimed instability of agreements made from a position of advantage, even if true, fits uneasily with Gauthier's earlier compliance argument. Recall that Gauthier's solution to the problem of extracting compliance is the development by translucent individuals of a predisposition to constrain maximization. If that argument is correct, then a substantially equivalent one can be constructed to demonstrate the stability of agreements based on a prior history of usurpation.

Consider a society of slaves and masters (Gauthier's example: 190ff). Each class realizes that it would be better off if the slaves entered into a binding agreement to obey the masters. The expense of coercive subordination could thereby be avoided, and proceeds would be available for distribution to both slaves and masters (perhaps in accord with the principle of minimax relative concession). Gauthier claims that any such agreement would quickly be subverted; the former slaves would (rationally) reject terms extracted from a position of coerced advantage. But that is too quick. When the possibility of agreement was initially broached, both sides realize that agreement will not be consummated unless the masters received assurance that the slaves will not revolt once the chains are removed. Unless the slaves can provide such assurance, they forgo the benefits that agreement would convey. Accordingly, they will—if they are *rational* slaves—undertake to predispose themselves to accede to whatever provisions are contracted,

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irrespective of whether those terms mirror the initial advantage of the masters. What predisposition giveth, predisposition taketh away.

Gauthier might respond that the former version of predisposition is psychologically plausible while the latter is not. I have no wish to enter into frays within empirical psychology; nor, I suspect, does Gauthier. The very fact that the feasibility of *Morals by Agreement* rests on two disputable and seemingly opposed psychological conjectures indicates its tenuousness. Why, then, does Gauthier insist on constructing his edifice on such shifting sands? It is because he has evicted himself from more hospitable quarters. Again, the straitened conception of rationality that he allows himself provides little room for maneuver.

There is an argument that "comes naturally" in explaining why a bargain between slaves and masters is illegitimate: to profit via the exploitation of others is inherently *unfair.* Slaves are justified in contending against the unfairness of their slavery, and masters apprehend correctly when they feel uneasy in the subjugation they exercise. Indeed, invocation of these morally based judgments makes persuasive the claim that the slave/master arrangement will be unstable: neither those who suffer from injustice nor those who benefit from it will be inclined to consider the arrangement self-sustaining.

Note, though, that this line is not open to Gauthier. Morals are to be the *product* of agreement by rational maximizers and are not brought to the bargaining table by them. Not even effective ties may be presupposed. If affectations enter at all, they will do so only as the by-product of a process of moral accommodation among persons. That is to adopt an extreme puritanism in moral constructivism. Much is to be learned from such an approach: conclusions derived from a restricted set of postulates are more interesting than those that follow from a relaxation of the postulate set. If the preceding argument is correct, however, from Gauthier's premise of utility-maximization, neither agreement nor morals follow.

The Liberal Individual

In the eleventh and final chapter of *Morals by Agreement* Gauthier acknowledges that the picture of rational morality presented in the previous ten is incomplete. What has been missing is the affective component of morality. Maximizers who lack sentiments of regard for their fellows will ultimately fail to erect a satisfactory moral order. "The Liberal Individual" proceeds to sketch how affection may supervene

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on rational morality. Gauthier insists that he is not backsliding on his project of deriving morality from the interactions of individuals who take no interest in each other. Rather, he claims to show how affection proceeds from cooperative arrangements, the origin of which owes no part to affection. He reminds the reader that *Morals by Agreement* does not profess to afford an accurate psychogenetic account of how morality in fact arises but rather a *rational reconstruction* of how it could emerge.

This chapter is, in some ways, the most interesting of the book. It would be unfortunate if respondents so immerse themselves in the intricacies of the preceding decision-theoretical arguments that they fail to lend equal attention to Gauthier's moving characterization of the liberal individual. (I confess my own dereliction in this regard.) It is a commonplace of political theory to note the enormous material gains consequent upon the establishment of liberal polities. The encomium is thoroughly justified and, indeed, Gauthier puts it very near the center of his work. However, the propensity of liberal societies to accumulate is often contrasted with the barrenness of the individuals who perform the accumulation: from the *Communist Manifesto* to *The Closing of the American Mind* the theme has been much replayed. Gauthier, however, celebrates the development of personality naturally engendered by a liberal order. His liberal individual is not only wealthy but estimable.

One may regret, though, that he comes on stage so late. By making affectivity the end product of sociality rather than one of its bases, Gauthier dangerously narrows the props underlying sociality. It is my judgment that they ultimately collapse. It need not have been so. As Gauthier himself admits, his reconstruction of morality will not do double-duty as an accurate depiction of moral education. Individuals become moralized because they are rational *but also* because they come to possess moral affections. True, some lack the latter. (But is it not equally the case that some are deficient in rationality?) In endeavoring to speak in tones persuasive even to the sociopath, Gauthier may inadvertently have forfeited a more promising audience.

Although I have spoken at some length about major themes in *Morals by Agreement,* the foregoing review provides a very imperfect depiction of the richness of the book. I have entirely neglected Gauthier's application of the theory to questions such as intergenerational justice and relations between materially advanced societies and the Third World. Nor have I been able to introduce Gauthier's many insightful discussions of other philosophers. And as I have focused attention on

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those aspects of the book judged suspect, the depth of its achievement will, I regret, have been insufficiently communicated. That is unfortunate; rarely is the philosophical world graced with so sustained and strong an examination of foundational questions. Where Gauthier falters it is almost always because of the paucity of resources he allows himself. What he does not carry off, no one could have.

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Don Herzog

INTERPRETING HOBBES

HOBBES AND THE SOCIAL CONTRACT TRADITION

by Jean Hampton

Cambridge: Cambridge University Press, 1986. 299 pp., $42.50

THE RHETORIC OF LEVIATHAN: THOMAS HOBBES AND THE POLITICS OF CULTURAL TRANSFORMATION

by David Johnston

Princeton: Princeton University Press, 1986. 234 pp., $25.00

HOBBESIAN MORAL AND POLITICAL THEORY

by Gregory S. Kavka

Princeton: Princeton University Press, 1986. 460 pp., $45.00, $12.95 (paper)

HOBBES

by Tom Sorell

London: Routledge & Kegan Paul, 1986. 163 pp., $34.50

Thomas Hobbes continues to fascinate moral and political philosophers: these four books are only the latest tossed up by a tidal wave of scholarship commencing about 30 years ago. Atheist (maybe), egoist (maybe), skeptic (maybe): a great stylist, at any rate, with a mordant

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sense of humor and uncannily good timing. Undergraduates almost universally loathe *Leviathan*. ("This book is an incredible snooze," an introductory student of mine once announced; "can't you get rid of it?" She wasn't amused when I told her that they'd tried burning it centuries ago, but failed to suppress it.) Their loathing, we easily assure ourselves, testifies only to their laziness or intellectual immaturity.

That Hobbes fascinates us, however, is puzzling on its face. I say "us," since I am one of those bitten by this particular bug. Still, there are plenty of reasons to find Hobbes repellent, even boring, not engaging. Hobbes, after all, defends a politics whose broad outlines we would all agree are repugnant. He would assign the sovereign unlimited authority in every social sphere—in science, in religion, and presumably all the rest, not just in what we take to be strictly political spheres—and permit disobedience only when one's own life is directly threatened. Besides, *Leviathan,* surely Hobbes's masterpiece, weighs in at around 700 pages in the Penguin paperback, over half of it an extended foray into Scriptural exegesis that I daresay most Hobbes scholars wish weren't part of the book. Why do we like this fellow so much? Why don't we write him off as a crank? Why don't we say that the undergraduates are right?

There are some familiar bad answers to the question: his political teaching might be simply true, or he articulates the world-view of a nascent bourgeoisie, or he has long been canonized as one of the great thinkers of the tradition and so must be worth reading. Here, bluntly, is the beginning of a better answer: Hobbes is formidably intelligent, and grappling with his work is eye-opening. Better yet, however repugnant Hobbes's politics or absurd his "scientific" claims, he has something to teach us about our own fashions in moral and political theory.

Blunt, and no doubt a shade too innocent, but still I think a better answer. It needn't run afoul of the strictures of Quentin Skinner, J. G. A. Pocock, and John Dunn, all of whom have cautioned us against ahistorical, even antihistorical, approaches to the history of political thought. Hobbes, they'd insist, is doing something in writing *Leviathan,* and the only chance we have of deciphering his action, of making sense of it, depends crucially on knowing the context, or the structures of discourse he's operating within—or subverting. This is just a specific instance of the general maxim that meaning depends on context, and it seems right. True, the history of political thought has long been only nominally historical, a string of great authors loosely linked on a date line, implausibly pursuing a conversation about time-

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less questions. It has been written by people fond of immersing themselves in the text, not particularly interested in knowing anything about the author's society, or worse yet sure that the only way of deploying such knowledge would be vulgar and reductionist.

We want the history of philosophy to be respectable philosophically, to teach us something, to be theoretically illuminating. But we also want it to be genuinely historical, to take seriously the fact that not all these authors submitted their manuscripts last week to the *Philosophical Review*. Political theorists have engaged in battle over these demands, which some have worried must be competing, even contradictory: the journals have been bloodied in the fray. But there's no reason, surely, to think that the history of political thought must forgo either theoretical relevance or genuine fidelity to historical context. Skeptics might worry that Skinner and the rest think that's true, that to situate a text properly in its historical context is to demonstrate once and for all that it has nothing to teach us. Whatever they think, though, this is just a fallacy of false alternatives. It's possible that we might learn more from a text if we situate it historically. Possible, but not necessary: it has to be an open question, not a presupposition of any investigation. Yet in the case of Hobbes, it's not only possible, it's true—or so I think. And that's what these books, if not by design, demonstrate.

Egoism and Morality

Some of the tugs between a present-minded, avidly philosophical approach, and a more historical one show up in the preface to Kavka's book. Kavka tells us he's felt free to modify Hobbes to make his views more plausible, and indeed to ignore chunks of Hobbes's text that don't help advance his own argument. That I take it is why he calls his book a study in Hobbesian theory, not a study of Hobbes: fair enough. Yet within one page Kavka tells us first that "historical context is largely ignored here," second that "except where it explicitly modifies Hobbes, the present reconstruction tries to give as accurate a picture of *Leviathan* as any in the literature."

Base historicist that I am, I immediately found these two claims jarringly self-contradictory. But they're self-contradictory, of course, only if we insert the further premise that to render a text accurately requires a knowledge of historical context. However obvious that might seem to some readers, the more philosophically inclined among

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us will deny it. "Hobbes," they will say—so I was reminded, a bit forcibly, at a recent conference—"is a philosopher. He's trying to develop the best arguments he can. We take him seriously, we understand him best, by taking those as arguments, by critically scrutinizing them, by patching them up where we can to give him the best case we can." That too—so muddy, or so diverse, are our intuitions about interpretation—seems right.

Kavka's Hobbes only accidentally published his work in the middle of the seventeenth century. For, it turns out, Hobbes's interests are very much our own, what we call rational choice theory. And, Kavka would suggest, even if Hobbes didn't have that name for the theory he'd understand it perfectly well. This is no innovation on Kavka's part: his is the Hobbes made familiar in the last few decades. Indeed, his is more or less the Hobbes many seventeenth-century readers seized on with dismay.

Here's the basic story. Suppose that individuals are by nature primarily if not entirely egoistic, that they're calculating maximizers plotting to advance their own interests. Then anarchy must fail: each individual must fear that someone else might attack him, or even kill him. Prudent individuals safeguarding themselves against that possibility will then be driven themselves to a ruthless campaign of self-aggrandizement, piling up as much as they can in the name of self-defense. "So," in Hobbes's inimitable words, "I put for a general inclination of all mankind, a perpetual and restless desire of power after power, that ceaseth only in death." The solution to this dilemma is the state. Not just any state will do, Hobbes argues. For any attempt to limit the state will collapse: people will always dispute the limits, and so civil war will erupt, and so everyone will be stuck back in the dreadful state of anarchy they sought to avoid in the first place.

We immediately want to dispute at least two steps in the argument. First, we now believe that one needn't impose a cooperative solution to an iterated prisoners' dilemma. The winning strategy in that iterated game is "tit for tat," to start by cooperating and then do whatever the other player did last round. And that strategy can produce a population of cooperative individuals.[1] So patrons of anarchy needn't give up on that score. Second, the argument for making the state's powers unlimited is too quick. We are familiar, more than Hobbes could have been, with overweening states, and we want to cast them as threats to peace, not its guarantors.

This is horribly brief, no doubt. Yet it's familiar not only in the Hobbes literature, but also in our own academic discourse. We take

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special satisfaction in so-called rational-choice explanations, in showing how far-flung social outcomes can be explained and justified as the result of self-interested individual action. That's the structure of modern economics, Austrian or neoclassical. It's the enterprise of an increasingly influential group of political scientists, "modelers" likely to know more of the mathematical intricacies of game theory than legislative history. It animates various projects in moral theory, not only Kavka's own. Our enthusiasm for this research program has led to what I take to be overheated claims, that for instance only this sort of explanation counts, or is properly scientific, or that we must strive to reduce all holistic talk about social institutions to talk about rational individuals.

Overheated or not, this is how Hobbes speaks to us, or at least how we make him speak to us. He was, we think, a rational choice theorist *avant la lettre:* that's why we find it so easy to engage in argument with him. Nor is it just filial piety, or a contemptible desire to display our learning by decorating our manuscripts with footnotes to famous dead folks, that makes us return over and again to *Leviathan*. Like Hume, Hobbes had an extraordinarily good grasp of the game-theoretic aspects of social life. So we can indeed learn from him.

Kavka wants to extract from Hobbes a general theory of morality and politics, not a case for the legitimacy of the absolute state. One crux of his account, as I read it, lies in his attempt to explore possible responses to the fellow whom Hobbes calls the fool, and we call the free rider. The fool says, "Look, I understand that generally moral principles and the state safeguard my interests, that I'm better off living in a world in which people uphold them than I would be fighting a civil war. But my marginal contribution to upholding the principles makes no difference: what matters is only that enough other people do their share enough of the time. And it can't be the case that moral principles and the state always safeguard my interests. Sometimes, surely, my interests will diverge from the demands of morality and politics. And at that point, I propose to follow my interests instead. I'll be careful about keeping things quiet, and I will prudently calculate the risks of getting caught and punished. But when it looks like the payoff of lying, or cheating, or stealing, or murdering will surpass the expected value of getting caught and punished, then I will lie, cheat, steal, or murder."

It is a formidable challenge, within the world of rational-choice theories. Hume had embarrassingly little to say about it, and ended up

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suggesting lamely that egoists should continue to uphold moral principles so they can preen themselves in company on what moral heroes they are. Plato had more to say about it, and better: but his account is much more ambitious, ultimately indeed a subversion of the whole rational-choice framework the problem is couched in.[2] Kavka, and Kavka's version of Hobbes, want to meet the challenge as squarely as possible. What can we say to the fool?

Kavka wants Hobbes to endorse what he calls predominant egoism, not pure egoism. The former is the view that people generally pursue their own interests; the latter is the view that they always do. And Kavka wants Hobbes to be a rule-egoist, not an act-egoist. This distinction isn't only an unbearably ugly assault on the English language, which surely has suffered enough from the depradations of academics. It has done crucial work in discussions of utilitarianism, and could do crucial work here. An act-egoist can consider, in every case, what is in his interests. A rule-egoist, by contrast, adopts whatever general rules are best calculated over the long haul to promote his interests, and then follows them.

These two views can blur together. For the act-egoist doesn't want to spend all his time calculating consequences: that wouldn't be in his interests. So he may adopt rules of thumb, rough guides, and fly by them. And the rule-egoist can notice that his rules are too broad, that more discriminating rules would allow him to satisfy his interests more often. But if there is to be a difference between the two views, the act-egoist has to be free to reconsider. And the rule-egoist's rules can't be incredibly specific, so that he has a new rule for every case that comes along.

Kavka's comments about the fool are scattered through the book, though thanks to a careful subtitling system they're easy enough to find. He does a reasonably good job, I think, in exploiting the resources of a predominant and rule-egoist view: such egoists should care for others, and they'll feel guilty when they break rules they've adopted, and so on. He shows that it won't do quite as much work as we'd like it to, that sometimes the fool may well be justified in shafting the rest of us. Some will take this as a decisive blow to the justification of morality, as a demonstration that only the superstitious are genuinely moral. Others—sign me up in this camp—will think it a curious reminder of the self-imposed limitations of rational choice models. Still, given the current interest in rational choice, Kavka's Hobbes is a worthy entrant to the literature.

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A Curious Scientist

I'm not sure, though, what literature Sorell wants to join, or what audience he has in mind. For the Hobbes he lavishes most of his attention on is the theorist of science and method. And that Hobbes doesn't tend to say things we still think are respectable, let alone first-rate contributions to our own debates. He lapses repeatedly into what we might well call, using his own pungently antischolastic category, absurd speech. His accounts of his own accomplishments—first putting geometry on sound footing, inventing political philosophy, being the first to make sense of optics, and more—are to say the least unfortunate. He insists that he has succeeded in squaring the circle, and in a polemic typically nasty for his time refuses to accept the demonstrations of Oxford mathematician John Wallis that he hasn't. And sometimes he insists vehemently on positions that are quaint, as when he argues that we don't perceive anything at night because our nerves, usually taut cords that convey vibrations, retract to their homes, the brain and heart, and once relaxed they stop vibrating. All in all, there is something deeply right about Hutcheson's later crack, that Hobbes "very much owes his character of a philosopher to his assuming positive solemn airs, which he uses most when he is going to assert some palpable absurdity, or some ill-natur'd nonsense."[3]

With the diligence and care we've come to expect from analytic philosophers, Sorell dutifully marches through Hobbes's discussions of these matters, and tries to articulate as carefully as he can just what the argument is. The exercise is baffling, for over and over, as Sorell proudly admits, the argument is one we can't take seriously. Maybe an undergraduate in a philosophy tutorial would find the journey rewarding: she might learn how to read more carefully, and how to criticize, and perhaps she wouldn't already know the conventional wisdom that allows us to brush aside these views so easily. I don't know anyone else who would find the book useful. And that has to do with its stance, a badly thought-out picture of how to do the history of philosophy.

The stance seems to run this way: explicate the author's point, and then criticize it from our perspective, using what we take to be the best available views on these matters. That often lends the exercise an unhappily schoolmarmish air, but that's not the real problem. The history of philosophy is sometimes still quite useful for our purposes. Aristotle on ethics, Hume on convention, Kant against empiricism: these expositions are all well worth taking seriously. But we write off much of the history of philosophy as systematically misconceived

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junk, not even worthy as a challenge to our own views. Aristotle on physics, Hume's copy theory of ideas, and Hobbes on science: these are for us only oddities.

A more genuinely historical way to handle Hobbes on science, which would be illuminating if still internalist history, would be to pursue this question. What was the received wisdom on these matters before Hobbes? How and why did he assault it as he did? What old problems did he solve? What new problems did he create? Such an exercise would not only save us from patronizing Hobbes, from pretending he's incurably silly. It would also have second-order payoffs, allowing us to see how the progress of knowledge might be rational. But, despite occasional references to other authors, that's not Sorell's stance.

Not that Sorell's stance is his own invention. His book is part of an ongoing series, The Arguments of the Philosophers. "The purpose of this series," now a couple of dozen volumes strong, "is to provide a contemporary assessment and history of the entire course of philosophical thought": so says the page opposite the title page. Contemporary assessment, yes; history, no, at least not in any way I can recognize. Here our theoretical interests and our historical ones haven't meshed at all. Readers interested in our own philosophy of science should head back to Popper, Feyerabend, Kuhn, Lakatos, and the like; those interested in seventeenth-century science to Merton, Webster, Hacking, Hunter, Shapin and Schaffer, and the like.

Consent, Contract, Convention, Constraint

Jean Hampton's book is the best of the lot, a savvy and nuanced exposition that succeeds in having Hobbes's texts and our own agenda illuminate one another. Indeed I think it the only book of this group that academics will still pay attention to in ten or twenty years—and in a business as wildly transitory and fashion-conscious as this one, that's a long time. Hampton writes with verve and wit, and in a way that will engage novices without boring experts. She has taken the history of these matters seriously, rare and so worthy of congratulatory note for an analytic philosopher, and indeed she thinks the best objections to Hobbes were pressed by his contemporaries. She's also dead wrong, I think. But first I should say what's so good about her book.

The social contract tradition, which Hampton wants to use Hobbes to illuminate, has been extraordinarily seductive for centuries. It's also

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open to some immediate and pressing objections. I have never been in a state of nature (I overlook an unfortunate foray into the South Bronx). I have never signed my name to a dotted line, agreeing that the United States government is the one for me. Indeed nothing I've ever done looks like consent. Paying taxes and the like are things I'm forced to do, if push comes to shove with all the coercive might of the state. (The second and third letters from the IRS are notoriously less congenial than the first. And some people really do find their salaries attached, their furniture auctioned, their homes padlocked.) And not moving to some other country surely doesn't count as consent. It may just mean I'm too poor to go. Or that I like other things about living in American society, even if I detest the state. For that matter, where do the moral principles that are supposed to structure the deliberations of prepolitical agents come from? How do they know about them? What force do they have? And so on.

These objections are hardly new: Hume presses some of them trenchantly, and Filmer pressed them before him. But they are real, and convincing answers to them aren't readily forthcoming. One of Hampton's projects—and her book bristles with independent lines of argument well worth pursuing—is to sketch an answer to them, to offer an account of what social contract talk means that's immune to these objections.

The key notion is that of convention, familiar in analytic philosophy from David Lewis's book by that name, but clearly central in Hume and other officially noncontractarian liberals. An everyday example of a convention, this one defunct, is doffing your hat on passing people on the street. Americans never sat down and agreed to do this. Nor would it make sense to say that residence in the country showed that they consented to it, or even that when they first did it upon turning eighteen they consented. But for a long time it was understood that that's what one was supposed to do. That convention has collapsed, at least in everyday social circles. Still, its collapse wasn't a deliberate decision either. We didn't all sit down together and debate the merits of the practice. Instead it gradually crumbled: hats went out of fashion, or at least became less obligatory; the appeals of informality exercised their undeniable charm; and so on. A farflung collection of unplanned developments made hat-doffing a thing of the past, and to do it now is to be quaint or eccentric.

But what does a doffed hat have to do with the social contract? We shouldn't read Hobbes, Hampton urges, as imagining an occasion of explicit consent, or for that matter tacit consent if that means anything

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like a purposive or deliberate agreement. Indeed we shouldn't read any of the social contract theorists that way, lest we make them talk indefensible nonsense. The construction of political society is more elusive, less planned, than that suggests. We establish and maintain social conventions to uphold certain regimes, indeed conventions that make them the sorts of regimes they are in the first place. You grow up, you learn the rules, and you follow them, perhaps with a twist here or there at the margins. You accede to the terms of the convention, and you help maintain it.

It's a nicely mischievous suggestion: it means for instance that officially anticontractarian liberals like Hume turn out to hold the same views as contractarians after all. On Hampton's reading, social contract theory isn't another piece of ideology, another attempt to pull the wool over people's eyes and confuse them about the nature of their political and social world. Quite the contrary: it demystifies politics, by revealing that whatever their lofty claims to the contrary, states are upheld by the people—and can be changed by the people.

One might demur a bit: if it is a demystifying message, it's one many have missed. That aside, the argument doesn't explicate our intuitions about consent all that well. For it will follow from Hampton's analysis that *all* governments rest on the consent of the governed, however draconian or abusive they are. For all governments rest on these sorts of social conventions. But consent was supposed to provide a normative line, demarcating the legitimate governments from the illegitimate ones. Hampton can recapture some of the normative force that talk of consent was supposed to have. She can argue, for instance, that once people realize that the state is upheld by their support, they can ask themselves, "Should we go on supporting this state?" And for many states, the answer to that question may well be "no." But her analysis doesn't do as clean a job as one might like.

What happens if the people answer "no," as they might well do in South Africa, or South Korea, or—here sanity demands an ecumenical dismissal of the current policy debate—to the Sandinistas and Contras alike? Conventions can be difficult to break: revolutionaries have to worry that not enough other people will join with them in doing the breaking. (The mechanism here is also familiar from game theory: I might be willing to join the revolution if 10,000 others are; 10,000 or even 20,000 others might actually be willing to join in; but every one of us may stay home, cowering in fear, worried that only 37 people would join in and the state would easily toss them in jail.) Conventions are even more difficult to break when the state uses force to up-

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hold them, by terrorizing the opposition, or using public educational facilities to brainwash youngsters. (Watching seven-year-olds enthusiastically chant political slogans—left, right, or center—is enough to make me think human decency was in even shorter supply than I'd already thought.)

This isn't an objection to Hampton's analysis; it's a sad fact about the world we live in. We may, without design, create and maintain conventions that uphold states. But many of the states we uphold are brutal, and still forging alternative conventions can be intractably difficult. So one thing talk about consent had better not mean, however we render it, is that political institutions are always under our control. They're not. Very often we're caught, like it or no, subject to a political system we had no voice in creating, with precious little ability to reform or destroy it.

I reluctantly append an increasingly familiar note: Cambridge University Press hasn't served Hampton or her prospective readers well. The book is frightfully expensive, the type face tiny and hard to read. Were it priced reasonably, I would happily assign it to graduate students. As it stands, graduate students rarely being Carnegies or shoplifters, I won't think of it. No doubt it's too much to hope that the book will be reset. But it belongs out in paperback, the sooner the better.

Beyond Rational Choice

There is then a lot to learn from pondering Hampton's account of convention, and I don't say it's dead wrong just because I'm unhappy with the way it maps our talk about consent. To understand what's wrong with it, let's turn to David Johnston's study. Johnston's book isn't nearly so sophisticated as Hampton's: he is largely innocent of analytic philosophy, and instead of cramming intriguing sidelights onto each page he pursues his main line of argument with luxurious indolence. But he is onto a crucial insight, even if he doesn't exploit it nearly as fully as he might.

Why all this talk about rational individuals, anyway? It has long been central to our view of what Hobbes is up to: Kavka, Sorell, and Hampton follow longstanding academic convention. This convention, though, demands reconsideration: Johnston, I believe, is aware of some of the reasons it does.

Consider first Hobbes's audience. These were not, in Hobbes's

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view, rational individuals who'd become momentarily confused about the instrumental connections between sovereignty, trust, and peace. Some of them were nobles, intoxicated with the sanguinary quest for honor and glory. Others were Puritan fanatics, bent on transforming England into Jerusalem, on cleansing church and society alike of popish nonsense and imposing a culture of discipline. Neither nobles nor Puritans put fear of violent death first and foremost, as Hobbes allegedly thought everyone does. Like English Catholics, Quakers, and other fringe groups, Puritans showed themselves willing to martyr themselves in the pursuit of their religious visions.

Consider next Hobbes's text. There's a lot going on in it besides the philosophically interesting account of the state of nature, the game-theoretic and rational-choice analyses. There are muttered asides about religious cranks, affectionate bows to the much maligned James I, journalistic comments transparently inspired by particular events of the civil wars: and, of course, that very lengthy foray into Scriptural exegesis. What have these to do with rational individuals and their plight?

Hobbes, Johnston suggests, isn't and can't be solely in the business of adducing prudential considerations to influence the behavior of rational agents. That reading makes a mockery of the act of publishing *Leviathan* in 1651, a mockery too of the barbed text itself. Whatever the merits of his argument, rendered as a philosopher might, he faces an imposing rhetorical task. He has to motivate those readers, to engage them in a way that disembodied rational arguments never could.

That means that there must be more to say about *Leviathan* than our rational-choice analysis lets on. It means too that writing political theory is already political action, that we should enquire into the committed stance of the theorist: this is a valuable lesson Johnston has learnt well from his advisor, Sheldon Wolin. In pursuing these strands, Johnston adds to the conventional account of Hobbes.

But in the end, I think, he lets us down: he's been seduced by that account more than he should have been. For Johnston thinks that Hobbes's goal is to transform Englishmen into the rational agents he'd like them to be, to turn England into a world that game theory might describe more accurately. My own view is that Hobbes explicitly ridicules any such possibility. People, he thinks, will always be prone to pernicious religious fantasies; they will always be taken in by the pretexts of ambitiously scheming politicians; they will respond not to rational argument, what Hobbes calls scientific demonstration, but to metaphor and eloquence; they will blithely swallow the most absurd

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deceptions of magicians, "jugglers," and the like. Civil war in England, he argues, wasn't caused by a prisoners' dilemma, and civil wars won't stop when people learn the rational connections he painstakingly demonstrates.

This point isn't "merely historical," in that pregnant phrase ahistorical philosophers sometimes use to brush aside points they don't want to pursue. It's not that 300 years ago there were lots of irrational fanatics running around, but now, o happy day, we are all quite rational, thank you very much. Pick up today's newspaper and glance at the lead political stories. Again we can be sanely ecumenical about this: the Ayatollah is only a more spectacular example of commitments not exactly captured by economic models. Reagan's White House doesn't seem to be a hotbed of rational deliberation. And our gaily self-destructing Democrats seem not to have a clue what their own interests are, let alone how to pursue them effectively. Despite the powerful appeal of economic models, politics shows no signs of becoming economics, or even economics by other means.

That's not a recipe for paralysis, as Hobbes shows perfectly well. He has plenty of ideas on how his political theory might make a difference, how a Hobbesian world would be better off even if it were full of irrational individuals. He wants to articulate a language of politics within which it will be impossible to justify disobedience, within which his contemporaries' attempts to do so will become simply incoherent. And he wants to persuade some sovereign—note the curious bow to Plato at the end of part two of Leviathan—to use the universities, first and foremost training grounds for preachers, to cram that language down the throats of future Englishmen. They won't be persuaded. They won't respond to rational argument. Their very identities must be shaped so that they can't think politically explosive thoughts.

We often think that political theorists are in the business of demystifying the world: this view was shared by writers as diverse as Plato and Marx. But Hobbes is explicitly in the business of mystification. Though his book debunks metaphor from beginning to end, he himself develops an extraordinarily elaborate metaphor to describe the sovereign as the soul of the body politic. He calls the sovereign a mortal God, a giant machine, a Biblical monster. These aren't particularly rational. But if you want people to obey, you may not want them to spend too much time pursuing the complicated calculations that philosophers as intelligent as Kavka and Hampton still disagree about.

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You may instead want them to cower in dread and anxiety before the mysteries of sovereign authority.

There is more, lots more, to say along these lines. (Driven no doubt by Hobbesian vainglory, I've persuaded myself there's an enticing Hobbes hidden by contemporary convention, one I hope to explore at length elsewhere.) Hobbes has to teach us not further nuances of game theory, not another set of interesting epicycles on rational choice. He has to teach us something about the fundamental limits of that conception of politics, about how to think about and deal with human quirks and pathologies that have nothing to do with rationality. In an academic community captivated by theories of rationality, one might say pathologically fond of them, his are lessons worth learning.

NOTES

1. See Robert Axelrod, *The Evolution of Cooperation* (New York: Basic Books, 1984).
2. The best account is in Terence H. Irwin, *Plato's Moral Theory* (Oxford: Clarendon Press, 1977).
3. Francis Hutcheson, *Opera Minor* (Hildesheim: Georg Olms Verlagsbuchhandlung, 1971), 102.

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Jeffrey Friedman

LOCKE AS POLITICIAN

REVOLUTIONARY POLITICS AND LOCKE'S *TWO TREATISES OF GOVERNMENT*
by Richard Ashcraft
Princeton: Princeton University Press, 1986. 613 pp., $65.00, $15.00 (paper)

LOCKE'S TWO TREATISES OF GOVERNMENT
by Richard Ashcraft
London: Allen & Unwin, 1987. 316 pp., $34.95.

Much has changed since the days when Leo Strauss[1] and C. B. Macpherson[2] set the agenda for Locke studies. Macpherson made Locke out to be an exemplar of "seventeenth-century bourgeois individualism."[3] Strauss portrayed Locke as an advocate of "the joyless quest for joy,"[4] an acquisitive amoralist, a closet Hobbesian. These interpretations shared more than a cavalier disregard for both the text of the *Two Treatises* and the actual (rather than the fancied) historical context in which Locke wrote. Strauss and Macpherson agreed with each other[5]—and with a long line of previous interpreters (see Ashcraft, 1987, 298–300)—that, as Macpherson put it, Locke "was plainly out to protect" an "individual property right";[6] or that as Strauss wrote, Locke believed that "men enter society in order . . . to enlarge their holdings."[7]

This common assumption—Locke as defender of private property—still haunts the textbooks. But (although this has not been fully appreciated as yet) the assumption was doomed when Peter Laslett's

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landmark critical edition of the *Two Treatises* appeared in 1960.[8] Laslett established that the *Treatises* were not written, as had been thought, to "defend" the Revolution of 1688, but had, instead, been written during the Exclusion Crisis of 1679–81, in response to the publication then of the late Sir Robert Filmer's defenses of absolutism. Filmer's works came to provide the main theoretical defense of the right of Charles II to thwart parliamentary attempts to pass a bill excluding his Catholic brother James, Duke of York, from the line of succession. Thus, Locke was not writing an ex post facto justification of the oligarchic regime that emerged after 1688, but rather a call to the ballot-box—or to arms—against royal authority. This brings into at least some doubt the facile assumption that Locke's property theory was a defense of the riches of the aristocracy. Moreover Laslett, by shifting Locke's target in the *Second Treatise* to Filmer (it had been assumed Locke was really addressing Hobbes), refocused scholarly attention on the historical characterization of Locke's political philosophy. Why would the great philosopher of liberalism have written this extensive critique of such an unworthy opponent as Filmer?

The answers that have been offered have turned Locke scholarship on its head. As Richard Ashcraft notes in the second of his two major books on Locke, "with the possible exception of Marx it would be hard to think of an example of one who has undergone a more radical transformation than Locke within the last generation with respect to the characterization of his political thought in the secondary literature"; indeed, "the tide has shifted in favor of" a "new orthodoxy" to replace the old one (1987, 2). The new orthodoxy holds, if anything, the direct opposite of the old view of Locke on property. For instance, James Tully's 1980 contribution to the new view supplants the "exclusive" private property in Macpherson's interpretation of Locke—i.e., the "right . . . to unlimited individual appropriation"[9]—with "inclusive" or "common" property, i.e., everyone's "right to use things for the sake of 'conveniences of Life' or 'support.'" Tully portrays Locke as an opponent of any system of property that does not enact distributive economic rights. Each member of the political community, according to Tully's interpretation, enjoys "the civil right to his share of the community's possessions for support and comfort."[10] Thus Macpherson's "sufficiency limitation," Nozick's "Lockean proviso" (the caveat that there remain "enough and as good left in common for others" after any given individual appropriates common property for individual use)[11]—which had been considered a minor limitation imposed by Locke on private appropriation, and one that

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was overcome by the invention of money—becomes for Tully the central point of Locke's property theory.

Ashcraft continues in like vein (although as we shall see, his final assessment of Locke's property theory is more ambiguous). But where Tully in effect assumes that Locke's response to Filmer can be historicized merely by positioning Filmer and Locke in the "seventeenth-century natural law and natural rights 'discourse,'"[12] Ashcraft has undertaken vast amounts of archival research in order to establish the non-philosophical context of those who, like Locke, fought the ghost of Filmer. The earlier of Ashcraft's two books, *Revolutionary Politics,* presents the results of this research, and of his reading of hundreds of Exclusion tracts; it is a monumental achievement which will undoubtedly be the starting-point for Locke studies for a long time to come. By bringing out the "radicalism" of some of the Exclusion Whigs for whom Locke spoke, Ashcraft attempts to include Locke in their number. His interpretation of Locke on property is only fully developed in his later book, *Locke's "Two Treatises,"* which attempts to build a textual analysis on the historical foundations laid in the earlier volume.

Locke as Ideologue

As Ashcraft demonstrates, the year 1667 can be seen as dividing an early from a late period in Locke's work. Before that point, Locke "was willing to grant the civil magistrate absolute and arbitrary power over all actions of individuals within society; he did not subscribe to a theory of natural rights; he was opposed to the toleration of religious dissent; he did not believe in parliamentary supremacy as an embodiment of the legislative power of society; there is no theory of property or of its importance to the origins of civil society in these writings; and he opposes the view that people have a right to resist their rulers" (1986, 76). No surviving documents explain why Locke moved away from this early absolutism. "In the absence of such direct intentional statements," Ashcraft points out that our efforts to interpret this shift "must necessarily place a heavy reliance upon contextual evidence in its portrayal of the development of Locke's political thought" (1986, 76). The greatest merit of his earlier volume is that it assembles so many of the materials needed for making such a contextual interpretation.

The starting-point for fixing Locke's context must be, Ashcraft argues, the fact that he was in his mature period best friends with, member of the household of, medical and family advisor to, and political

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propagandist for Anthony Ashley Cooper, first Earl of Shaftesbury—a key political player in late seventeenth-century England, a figure both adored and reviled, leader of the effort to exclude James from the throne, founder of the Whig party (or, as Ashcraft prefers to call it, "movement"), and participant in two abortive revolutions against Charles when more peaceful Whig Exclusion strategies were frustrated. The theme that runs through Ashcraft's masterpiece is that the transformation of the early into the late Locke "occurred within the context of his active involvement in the world of public affairs"—that is, the world of Shaftesbury—beginning shortly after Locke was introduced to him in 1666. Ashcraft is anxious to characterize this transition not as a liberalization, as had previously been customary, but as a radicalization (1986, 78–79).

As Ashcraft puts it, Shaftesbury "maintained a deep-seated hatred for all forms of clerical authority and for attempts to enforce religious and political conformity" (1986, 80). This hatred manifested itself in Shaftesbury's advocacy of religious toleration and in his fierce opposition to Catholicism, which was, in his mind—along with very many Englishmen's—part and parcel of political absolutism. Shaftesbury also believed in parliamentary authority and the parliamentary responsibility to redress popular grievances.

Until the late 1670s Shaftesbury sought to enact his views in his capacity as Chancellor of the Exchequer, as member of Charles's Privy Council, and eventually as Lord Chancellor, the highest official in the land. Both as a means of securing toleration for Catholics and because of his own creedal nonchalance, Charles was inclined to concur with Shaftesbury and tolerate Dissent. But in 1673 Shaftesbury went into increasingly strident opposition. This was because he shared widespread suspicions that secret clauses in the Treaty of Dover between Charles and Louis XIV obliged the English king to convert to Catholicism, in exchange for French subsidies that would free him from parliamentary purse-strings. Ashcraft provides an ingenious discussion of the Treaty and its possible purposes, concluding not only that Shaftesbury's suspicions were correct but that Charles, on the model of his cousin the Sun King, probably was seeking—as his ill-fated father disastrously had—to create an absolute monarchy in England (1986, 27–29).

As a result of such fears and of renewed legal and polemical assaults upon Dissent, the 1670s were increasingly a decade fearful of "secrecy, popery and despotism" (1986, 21). This atmosphere was both reflected and promoted by an influential Shaftesburean pamphlet of

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1675. The *Letter from a Person of Quality to His Friend in the Country* states succinctly what was felt to be at stake in these years: it charged that "the great churchmen" and some recently appointed high government officials were conspiring to make a distinct party from the rest of the nation

> of the high episcopal men and the old cavaliers. . . . Next, they design to have the government of the church sworn to as unalterable: and so tacitly owned to be of divine right. . . . [Then] they declare the government absolute and arbitrary; and allow monarchy, as well as episcopacy, to be jure divino, and not to be bounded or limited by any human laws. And to secure all this, they resolve to take away the power and opportunity of parliaments to alter any thing in church or state; only leave them as an instrument to raise money, and to pass such laws as the court and church shall have a mind to. . . . And as the topstone of the whole fabric . . . to increase and keep up a standing army. [quoted in 1986, 118]

The *Letter* was publicly burned and the House of Lords sought to find and punish its anonymous author. Not coincidentally, within days Locke left for France and remained there for three years.

Ashcraft has unearthed a great deal of information about Locke's involvement with the Whigs. He demonstrates that Locke was much more a political activist than a cloistered philosopher—and a treasonous, cloak-and-dagger activist at that. For instance, towards the end of Locke's stay in France, a young English cleric named Denis Grenville began sending Locke amateurish philosophical essays for his comment and trying to meet with him. Locke responded tactfully to his queries but avoided his company, and it had been thought[13] that Grenville was nothing more than a comically persistent admirer of Locke's who fruitlessly tried to strike up a friendship. Ashcraft shows, however, that Grenville had apparently been sent to France by Charles in order to spy on Locke (1986, 135–36), and that Locke probably suspected it. This information, Ashcraft speculates, when combined with Locke's secretive movements in France, suggests that Locke may himself have been engaged in some sort of spying in order to ascertain the nature of secret Anglo-French relations (1986, 128–37).

In 1679, when the heat was off, Locke returned to England in the midst of hysteria about an alleged "popish plot" to assassinate Charles in order to allow James to assume the throne. This was the environment in which the Whigs "formulated their political ideas" (1986, 140), so it is crucial to delineate what was at issue. The Whigs' concerns may not seem entirely rational—in fact, Shaftesbury expressed

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fears that sound positively McCarthyesque. "A secret universal Catholic league," he believed, was acting through the English court to achieve "the utter extirpation of the Protestant religion out of the world" (quoted in 1986, 140). Yet as we have just seen, there probably *was* a Catholic conspiracy—one which involved the participation, not the assassination, of Charles II. Whether they chose to believe in that (real) conspiracy or in the (fictitious) Popish Plot, many in this period were ready to see Catholics as "Popish beasts of prey," "blood-thirsty monsters" (1986, 195) who could only convert Protestants by "scourging, and wracking, and boiling them into the fear of God." Those who doubted such assertions were referred to Foxe's *Book of Martyrs,* which recounted the terrors of the Counter-Reformation queen, Bloody Mary (1986, 204). As for James, he was demonized as a "companion fit for brutes and savages" (quoted in 1986, 195). It was "antipopery feeling" which "was the glue that held together the various constituencies comprising the political movement that emerged during the exclusion crisis" (1986, 140–41). Locke himself, the philosopher of religious toleration, would never come to advocate extending it to Catholicism, which was "absolutely destructive of all governments except the Pope's" (quoted in 1986, 99). Ashcraft dwells on all of this to establish the anti-Catholicism, perhaps even the anti-Catholic fanaticism, that Locke shared with his patron. When their stark fear of "popery" is brought into focus, it becomes more difficult simply to assume that in the heat of the Exclusion battle, in 1681–82,[14] Locke had in mind a treatise for the ages rather than one to meet the immediate danger. Ashcraft has, through sheer accumulation of detail about the anxieties and rhetoric of Shaftesbury's Whigs, pretty well buried the notion of Locke as abstract political philosopher. And given Laslett's earlier demolition of the assumption that Locke wrote in order to justify the Glorious Revolution, we are left with the question of what political motives might have animated Locke in writing the *Treatises*. That is what Ashcraft's radicalism thesis is intended to answer.

Locke as Political Radical

What specifically was thought to be threatened by "popery"? In some eyes, the very lives of Protestants hung in the balance: Slingsby Bethel wrote of Catholics that they considered "meritorious" the "murdering" of those they viewed as heretics (quoted in 1986, 199). Most Whigs, however, rallied to the more restricted banners of "No Pop-

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ery, No Slavery" and "Liberty and Property" (1986, 185). Popery and Slavery meant arbitrary rule by a Catholic king, relying upon a standing army "and the use of force, rather than upon elections and Parliament to support his policies" (1986, 201). Liberty was Protestant religious freedom and parliamentary participation in government. What about Property?

Ashcraft draws on anti-government pamphlet literature to show some Whigs arguing that "James would confiscate the property and estates of Protestants 'and divide the spoils among the papists'" (1986, 202). In particular danger, it was claimed, were the Church lands taken in the course of the English Reformation more than a century earlier. Ashcraft also emphasizes the Whig argument that absolutist governments provided no real security for their subjects' property, regardless of those subjects' confessional affiliation. William Penn's Exclusion tract *English Liberties* argued that Englishmen's "fundamental rights" included "right and title to your own lives, liberties, and estates: in this every man is a sort of little Sovereign to himself" (quoted in 1986, 208). By contrast, as another pamphleteer wrote ominously, "Your neighbors in France, Spain, and other Popish governments have no other security either for their estates or beings, save the grace or favor of their prince; which renders them perpetual vassals to the crown" (quoted in 1986, 205). Penn was not the only one to invoke "rights," and these were not always seen as the possessions of Englishmen alone—although one does not detect as much talk of "property rights" as of the defense of *one's own property* in the sources Ashcraft reports, despite his indiscriminate use of the phrase (1986, 203; but see 208, 209 for "property rights"). In any case, as time passed there was "a drift in the debate away from a legalistic defense of parliament's statutory right as part of the ancient constitution to pass a law excluding the Duke of York toward a greater emphasis upon the natural law foundation for this exercise of parliamentary power" (1986, 210). Locke was obviously the culmination of this trend.

We shall see, however, that Locke's invocation of natural law is one of the least compelling reasons Ashcraft gives for calling him a radical. A much better case for using that term revolves around his willingness to advocate—and, indeed, participate in —armed revolution. The last forseeable parliament was dissolved by Charles in March 1681, ending the legislative phase of the Exclusion Crisis. This left the proponents of Exclusion no other alternative to revolution but submission, and, of course, the *Second Treatise* justified the former course (1986, 207). (On the other hand, if indeed this was the only alternative available, that

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makes Locke's revolutionism less radical.) Much of *Revolutionary Politics* is devoted to showing that Locke rejected the option of submission in deed as well as word: Ashcraft implicates him in the 1683 uprising and assassination schemes that go under the rubric of the Rye House Plot (1986, 385–89); from Holland, he contributed funds to and helped organize Monmouth's Rebellion, the exiles' attempted invasion of England in 1685 (1986, ch. 9); and the picture is rounded out with detailed accounts of Locke's fugitive travels and his correspondence with English revolutionaries via letters written in secret code (1986, 385–89). Calling Locke a radical in the strict sense of being a revolutionary, then, cannot be gainsaid Ashcraft.

A second sense in which he uses the term is more problematic. There was, he notes, a deeply ingrained fear of giving the power to overturn governments to the populace at large—the "rabble" (e.g., 1986, 588). Ashcraft argues that most Whigs responded to this fear by denying that that was their intention, but not Locke, whose *Treatises* referred to "the People" shamelessly. Ashcraft concludes that "to press the issue of resistance in the absence of any socially definable boundaries to the people was to adopt, quite consciously, an extremely radical position, one from which most Whigs in the 1680s unequivocally disassociated themselves" (1986, 305). Moreover, Ashcraft uses recent scholarship on the aftermath of the Glorious Revolution[15] to show that Locke took the most radical position at that juncture, too. After 1688 the main question was: had James II voluntarily left the throne, as the Tories wished to have it; had he, as the dominant theory held, "abdicated" by violating the Constitution and fleeing before William's army; or had James been "deposed" by William of Orange and the people of England? This last position was the most radical of the three, because it both legitimized revolution—it was often claimed that this was the proper response to a breach of an original political "contract"—and because it led to the demand for rethinking the Constitution: perhaps a task to be accomplished by "the People," and perhaps one that would lead to an expanded franchise, radically limited royal power or even the establishment of a republic. Ashcraft argues convincingly that the final chapter of the *Second Treatise,* "Of the Dissolution of Government," expresses the opinion that the King's violation of the political contract voided any powers which he could have voluntarily "deserted," justifying rebellion and returning the people to a state of nature, from which they could redesign their mode of government. The publication of the *Two Treatises* in 1689, seven years after their composition, must have been designed to promote this perspec-

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tive, which was quite unpopular among the triumphant Whig grandees (1986, ch. 11 & postscript).

It seems true, then, that Locke was on the leftmost fringe of the post-Revolution debate (1986, 305). But what, precisely, does this imply? Ashcraft does offer a persuasive argument that Locke may have advocated universal male participation in the initial constituting of the legislative authority of society—at that moment, in other words, when we first emerge from the state of nature (1986, 579–84). Locke's endorsement of popular sovereignty was, however, hardly enthusiastic; he insisted that "the People" are "more disposed to suffer, than right themselves by Resistance" (2.230);[16] only "a long train of Abuses" would move them to action (2.225). Locke's definite tendency is to minimize the frequency of revolutionary means of popular consent. And though part of Ashcraft's evidence consists of the majoritarian passages of the *Second Treatise* (1986, 582), he does not mention that Locke's rationale for the rule of the majority is purely prudential:

> it being necessary to that which is one body to move one way; it is necessary the Body should move that way whither the greater force carries it, which is the *consent of the majority:* or else it is impossible it should act or continue one Body, *one Community,* which the consent of every individual that united into it, agreed that it should; and so every one is bound by that consent to be concluded by the *majority.* [*Second Treatise,* section 96 (2.96); when quoting Locke, I leave original spelling and italicization intact throughout; my emphases will be indicated with underlining.]

Locke makes it quite clear, too, that this pragmatic majoritarianism extends only to the intermediate stage between the formation of a political community and its selection of a legislative constitution. Thereafter, the initial majority may choose to submit to any legislative power that it wishes, including oligarchy, elective monarchy, or hereditary monarchy (2.132). Finally, Locke was not alone in appealing to "the people"; Shaftesbury, for one, had quite liberally invoked them as long ago as his unradical years of 1658 and 1659.[17] While Locke may have been a radical in the context of 1689, then, his radicalism seems rather conservative.

Ashcraft may argue that any concession at all to popular consent would have been considered radical by many Englishmen, especially keeping in mind, as they always did, the events of 1640–60; yet while, in contrast to such extreme conservatism, "most Whigs accepted the proposition that political power was ultimately derived from the con-

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sent of the people," Ashcraft does not think this justifies calling most Whigs radicals (1987, 30). Indeed, against the radicalism of the Civil War, which still marked the leftward end of the political (if not the acceptable) spectrum, and with which Ashcraft claims a Lockean affinity (e.g., 1987, 1), Locke's position seems far too cautious to warrant Ashcraft's label of "extremely radical." The fact that he went out of his way to sanction oligarchy and monarchy—and the question of why he did so—gets overlooked if our attention is, like Ashcraft's, solely directed at the reception of Lockean ideas as "radical" by his conservative contemporaries.[18]

Shaftesbury as Political Radical

The root of these problems with Ashcraft's interpretation of Locke's politics may lie in his view of Shaftesbury. If Shaftesbury was so radical that his influence must have "radicalized" Locke, it seems reasonable to search for signs of Locke's radicalism—no matter how blurred these signs are. But if Shaftesbury was not himself a "radical," the whole project is undermined. And the fact is that Ashcraft pays scant attention to the conservative, or at least moderate, side of Shaftesbury's biography.

For example, the then Sir Anthony started out as a moderate Royalist in the Civil War, eventually becoming but a moderate Parliamentarian. He cooperated with Cromwell in dissolving the Barebones Parliament in 1653, showing up early in the day with the conservative opponents of such radical measures as the abolition of tithes in order to vote its extinction before the radicals arrived; he accepted the army-imposed Instrument of Government which made Cromwell Lord Protector in the same year (but also imposed constitutional limits on his power); and he sanctioned the arrest, without benefit of habeas corpus, of John Lilburne, the Leveller.[19] In 1654, reports his biographer, K. H. D. Haley, he ran for Parliament against a Republican list headed by Edmund Ludlow, attracting to his campaign clergymen who supported an established church "against the pure voluntaryism wanted by the radicals of the Barebones Parliament of 1653. According to a hostile pamphleteer, they branded Ludlow's group as Anabaptists and Levellers." After winning the election, Ashley Cooper proposed making Cromwell king, albeit as a constitutionalist alternative to military rule; and when Cromwell renounced this possibility, Cooper relinquished his place on the Council of State.[20]

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On the other hand, in 1658 he joined the Republicans in the Commons who were aligned against Cromwell's son Richard, in "a determined effort to convert a Protectorate which they regarded as merely an expression of military force into a truly parliamentary regime, though not a democratic one."[21] And, although suspected of Royalism,[22] he championed the revived Rump Parliament of 1659 as the only authority which could "be hoped to make the sword subservient to the civil interest, and settle the government in the hands of the people by successive and free parliaments unlawfully denied to them."[23] When the army ended this parliament, which had deprived its top officers of their commissions, Sir Anthony helped lead the successful effort to gain the intervention of General Monk for the Rump; but when the again-revived Republican parliament sought to insulate itself against elections, he helped turn Monk against it.[24] This brought on the restoration of royal government, which was wholly endorsed by Sir Anthony, since by 1659 it was clear to him that "the best way to bring about a return to truly parliamentary government was by bringing back the King and the old constitution: there is no evidence that he ever considered the Leveller alternative." Obviously, Ashley Cooper was no Royalist; neither, however, was he a Republican. His "reasons for joining Charles II were entirely utilitarian. In his eyes, Republicanism had been tried, and found wanting, and in the circumstances it was politically expedient in the interests of 'the people' to return to the old trinity of King, Lords and Commons."[25]

Moreover, in defense of toleration the then Lord Ashley advocated Charles II's right to dispense with penal laws against Dissenters in 1663, just three years before meeting Locke, despite the fact that this entailed defending a vital royal prerogative and asking that doubters trust their king (who was even more inclined to indulge Catholics than Nonconformists) in its wise use.[26] Next came the collaboration between Locke and Shaftesbury on the *Fundamental Constitutions of Carolina* (1669), the charter for the proprietary colony in America in which the latter invested. The charter granted religious liberty for all who acknowledged "a God, and that God is publicly and solemnly to be worshipped," but it officially established the Church of England in Carolina;[27] it guaranteed biennial parliaments, but they were to be elected by freemen possessing fifty or more acres from among candidates possessing at least 500. Finally, it sought to implant a new hereditary nobility in the colony, "that we may avoid erecting a numerous democracy."[28] Locke himself was granted the hereditary title of "landgrave" and a chunk of land by the Lords Proprietors. Finally, when

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the issue of Exclusion was first raised in 1679, Shaftesbury refused Charles's counterproposal that the powers of a Catholic king be statutorily limited—on the grounds that such a limitation "would 'substitute democracy for monarchy.'"[29]

These facts are not confronted in either of Ashcraft's books, though the more recent volume mentions Shaftesbury's Civil War "Presbyterianism" (1987, 13), and the earlier one makes a perfunctory attempt to mark out an early/late Shaftesbury periodization in order to square his conservative actions with the picture of Shaftesbury and Locke as radicals. Ashcraft avers that Shaftesbury must have eventually dropped his moderate views on politics and religion (when? why?); he also explains Shaftesbury's embrace of the Restoration with the non sequitur that Sir Anthony was also "certainly supportive of those tendencies and social forces which accorded a central importance to representative institutions in English political life" (1986, 80–81). Whatever "tendencies and social forces" means, this assertion does not seem the least bit inconsistent with the advocacy of mixed monarchy which Haley portrays,[30] and which was shared by most Englishmen.

Shaftesbury's record indicates, then, that he was a substantively moderate if tactically intemperate parliamentarian and tolerationist, one with the self-confidence not to hesitate before choosing extreme means to his political ends, but by no means a "radical" by virtue of that boldness. Haley's magisterial work concludes with good reason that "Shaftesbury was no democrat, if by that one means a believer in universal suffrage; he was not even a Leveller; and he upheld the political and social privileges of the aristocracy. . . . He would support the principle of monarchy 'to his last breath, as having seen and felt the misery of being under a mechanic tyranny.'"[31] I do not see how Ashcraft can base an argument for Locke's radicalism on his political context without addressing the problem of Shaftesbury.

Ashcraft twice repeats the remark of Locke's biographer Maurice Cranston that Shaftesbury was "the complete progressive capitalist in politics; he might almost have been invented by Marx" (1986, 82; 1987, 23),[32] which prompts a lesser criticism along the same lines. Ashcraft's concurrent description of Shaftesbury as "a politician attuned to the socioeconomic interests of merchants, tradesmen, and those who aligned themselves with the advancement of trade, to the religious interests of the Dissenters, and to the political interests of those who opposed any further extension of the king's power at the expense of Parliament or the people" (1986, 82) is much less informative about how Shaftesbury's economic perspective fit into his gen-

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eral worldview than is Cranston's account, which makes up for its quotably flip reference to Marx by pointing out that

> It was not simply a case of [Shaftesbury's] desiring toleration of dissenters because of his own Presbyterian views, still less a case of his having achieved a Christlike forbearance beyond the spiritual range of the average sensual man. Ashley opposed religious persecution because religious persecution divided a nation, drove many of its most industrious citizens to emigrate, and generally impeded commercial development. He saw more clearly than most Englishmen of his time how colonial expansion and international trade could be made to bring enormous fortunes to investors like himself and at the same time increase the wealth and power of the country as a whole. The example of Holland had taught him how trade and toleration could flourish splendidly together.[33]

Cranston's interpretation shows that there is a different way of viewing Shaftesbury's—and Locke's—tolerationism and parliamentarism. The connection between toleration and trade on the one hand, and parliamentarism and toleration on the other, while fully recognized by Ashcraft, can be seen as something other than an expression of "radical" politics. Shaftesbury himself would (if we allow him an anachronism) probably have characterized his as a "progressive" viewpoint, in that (despite—or as the source of—its anti-Catholicism) it sought to transcend religious narrowness in favor of the peace and prosperity of England. By contrast, Ashcraft leaves the impression, especially in his earlier book, that Shaftesbury merely decided to promote trade and toleration as a popular way to advance a "radical" agenda among middle- and lower-class political constituencies (see also 1986, 82, 103–4). Since Shaftesbury's views on economic matters never wavered, but his relative position on the political spectrum (which is not the same as his fundamental political perspective) often did, Ashcraft seems to have things backwards to the extent that he subordinates Shaftesbury's economic views to his "radical" Exclusion politics rather than the other way around.

Seeing Shaftesbury as a moderate or progressive politician sheds a whole new light on the anomalies in Ashcraft's case for Locke's "radicalism." It becomes much easier to see why Locke would have been relatively unenthusiastic about the rule of the majority and why he preserved undemocratic theoretical options in the *Second Treatise*. In fact, one might speculate that Locke's advocacy of post-Revolutionary popular sovereignty was intended to allow for Constitutional reforms that would preclude the royal tactics named in the "Dissolution of Government" chapter of the *Treatises*, but that it was not intended to

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suggest the need for a fundamental alteration in the permanent form of government. (If Locke did have such an alteration in mind, why did he never spell it out?)

By the same token, the Shaftesbury problem casts doubt on Ashcraft's third type of evidence for Locke's radicalism—apart from Locke's revolutionism and his endorsement of "the people"—that is, his appeal to natural law. Ashcraft contends that "the revolutionary natural law position, which appeals to equality, freedom by natural birth, political power in the hands of the people, the free consent of every individual, and so forth, was a distinctively radical language associated with the Levellers and tied to a defense of manhood suffrage (as well as 'anarchy' and the end of property). . . . Both the form of the argument and the social composition of the audience to whom such arguments were directed, suggested to contemporaries that the Shaftesbury-led Whigs were attempting to revive the Levellers' movement" (1986, 164). But using a language attractive to radicals in order to attract radical votes only makes for a very limited sort of radicalism; especially in light of Shaftesbury's political ruthlessness, it could easily be the pseudo-radicalism with which anyone conversant with the cooptation of radical movements in subsequent eras should be familiar. Ashcraft's own chapter on "Radical Politics" documents a widespread and growing franchise in the seventeenth century which was, by the time of the Exclusion Crisis, "already exercised by hundreds of thousands of artisans, tradesmen, shopkeepers, merchants, and small farmers." In fact, "the late seventeenth century was a high-water mark of democratic participation, not achieved again in England until the mid-nineteenth century" (1986, 166). Assuming that the likes of Shaftesbury and Locke merely opposed absolutism and the persecution of religious dissenters—which alone would not make them "radicals"—would it be surprising, given Shaftesbury's strategic boldness, to find them appealing nevertheless to the large electoral audiences among which a "radical" vocabulary would be effective, if that were required in order to stop the popish conspiracy?

Furthermore, as Ashcraft himself points out, it was Filmer's *Patriarcha* that "acted as the catalyst in forcing the ideological battle onto the terrain of natural law. . . . The Whigs were compelled to counter a natural law argument with one of their own in order to defend 'the fundamentals of government'" (1986, 189). Any other type of anti-absolutist argument, such as one appealing to the ancient English constitution, would have been "totally inadequate as a reply to Filmer or to any natural law theory which staked its claims for authority on higher ground than mere historical precedent" (1987, 30). This appears

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sufficient to explain Locke's use of natural law without any speculation at all about his intention to ingratiate radical audiences.

Ashcraft does show that Locke and Shaftesbury were in the same party, or movement, as such old Levellers as Majors Wildman and Breman and such Republicans as Slingsby Bethel (1986, 247–48). But this tells us little about what Locke's intentions were among these political bedfellows. Did he see himself as a moderating influence or as one of the gang? More troubling is the fact that by Ashcraft's own account, the Whigs were attempting to garner support not only from radical artisans but from at least some members of the landed gentry. These two audiences, even in Ashcraft's view, responded to very different sorts of political rhetoric, and there is no apparent reason for him to privilege language designed to appeal to radicals over that which was directed at the gentry. As we saw above, the Whigs made an argument sure to resonate with the propertied when they emphasized the threats allegedly posed by a Catholic king to Protestants' land. Ashcraft writes that

> In the Commons debate of 1680, it was argued with reference to a future government run by Catholics, that since "we are heretics, they will burn us, and damn us. For our estates, they will take our lands, and put monks and friars upon them." It was frequently asserted that James intended to reclaim those lands which had formerly belonged to the Catholic church. However far-fetched this threat may appear to us, for practical reasons alone, it was taken seriously, especially by the small and moderate gentry, many of whom were owners of such land. . . . Clearly, it was important for the Whigs to stress—as Locke does throughout the *Two Treatises*—that property cannot be taken away from an individual without his consent, and that force conveys no title to property. [1986, 202–3]

I am not convinced this is what Locke had in mind, but assuming it was, it is obscure why Ashcraft does not make this into a characterization of Locke as a "conservative"—if indeed Locke's use of natural-law language designed to appeal to the lower classes qualifies him as a "radical."

Locke as Social Radical

Perhaps what Ashcraft thinks made the appeal to the gentry "radical" is the fact that

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> the Whigs had to alienate the gentry from the landowning aristocracy and, if possible, show the benefits of an economic alliance of the gentry's interests with those of the merchants, tradesmen, and artisans in the cities and towns. This the Whigs attempted to do by comprehending the labor employed to cultivate and enclose acreage under the general label of "the industrious," to which they opposed the idle, luxurious, and useless large landowners who allowed their property to go to waste. [1986, 243–44]

But it is unclear why this should be the case. First of all, considering the social class and vast landholdings of Shaftesbury and the other aristocratic Whigs, there is something incongruous about such a strategy. (Ashcraft takes note of this anomaly [1986, 234] but does not resolve it.) More fundamentally, it is unclear what its political rationale is supposed to be. The small gentry and yeomanry could hardly be expected to ignore the threat to *all* property if some standard of "productivity" were to become the criterion of its legitimacy. And even if a conceptual alliance of all the "industrious classes" juxtaposed against the wasteful, idle aristocracy could somehow make the Whigs' popularity among the urban classes more acceptable to lesser landowners, would this dubious possibility justify the risk of further alienating the rest of the aristocracy from the Whig cause—a goal the Tories themselves pursued vigorously (1986, 235)? Why would Locke play into Tory hands in order to launch a "radical" critique of landed property that would have definite appeal only to artisans who were already solidly Exclusionist, and who had no other party to turn to but the Whigs? Ashcraft might answer that the *Two Treatises* were meant to inspire not just political allegiance but revolutionary fervor among the Whigs' lower-class constituency, regardless of the consequences among landowners, great or small; but this would contradict the claims that Locke's property chapter was intended to split the lesser gentry from the aristocracy and that it was designed to capitalize on gentry fears of James's potential encroachments on Protestants' property.

Ashcraft attempts to grapple with these difficulties (1986, 242), but I cannot see how he reaches the conclusion that Locke "admirably" overcomes them (1986, 281–82), except in the sense that he did as well as anyone could have in juggling such antithetical political purposes. This conclusion may have to suffice if we assume that Locke's labor theory of property acquisition, interpreted politically, *must* have been an attack on the aristocracy. But it is always possible that Locke was not trying to advance such a radical agenda, and that Ashcraft is simply reading too much into Locke's theory of acquisition. I do not deny that some

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Whigs attacked the aristocracy, but I do think the self-defeating contradictions this interpretation imposes on the *Two Treatises* undercuts Ashcraft's assumption that Locke was one of those Whigs.

Ashcraft's textual argument for that interpretation seems to be this: Locke believed in what Ashcraft calls "creationism" (1986, 259), i.e., the doctrine that God, as our creator, is entitled to direct our activities. Only His direction that we must subdue the earth for productive purposes justified our individual appropriation of property out of the common stock He gave all mankind. Thus, anyone who wastes property by failing to labor to use it productively is violating God's law—the Law of Nature. By thus condemning waste and fixing ownership rights in productive labor, Locke would include the small gentry's property (and that of the commercial and laboring classes) in the category of naturally legitimate possessions, while excluding that of idle aristocrats. So Locke's "social view of labor was clearly essential to the political argument Locke wished to make regarding property ownership," namely, a "defense of 'the industrious' and trading part of the nation—the constituency to whom the Whigs addressed their appeals—against the idle, unproductive, and Court-dominated property owners" (1986, 264). "Far from endorsing a secular and conservative attitude toward property ownership," writes Ashcraft, "the *Two Treatises* incorporates many features of a critical attack upon the private appropriation of property formulated within the framework of traditional Christianity" (1986, 258).

The first problem with this interpretation is that it is not clear precisely what "critical" consequences Locke is supposed to be deriving from his creationism. Ashcraft admits that "except in cases of extreme necessity, covered by the divine command to practice charity, individuals could not appeal to the Law of Nature to override the legally established property limits within society" (1986, 272). But if Locke's argument is to have no legal consequences, in what respect does it support "a radical theory of the uses and ownership of property" (1986, 263)? (Or does Ashcraft mean to emphasize his large qualification of this "radical" interpretation—namely, that Locke's view merely "is *capable of* supporting" a radical theory of property, in which case it is not Locke, but later developers of the labor theory of property, such as Thomas Hodgskin, who should be called radical?)

In any case, there is no good evidence for Ashcraft's reading of the text. Lauding "the honest industry of mankind" (2.42) cannot be equated with attacking the aristocracy, unless a mechanistic conception of context is to overwhelm the text entirely. Ashcraft does show

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Locke to approve heartily of the "sober and industrious," and to condemn "ill husbandry," indebtedness, and the "debauchery" that stems from the "costly itch after the materials of . . . luxury from abroad" (quoted in 1986, 267). But these complaints appear in Locke's economic writings, not in the *Two Treatises*. And they were standard among balance-of-trade theorists going back to the sixteenth century. Sir Francis Bacon's 1612 essays "Of Nobility" and "Of Riches,"[34] for instance, had contained much the same sentiments. I see no more reason to derive "socially radical implications" from Locke's invocation of these mercantilist commonplaces than from Bacon's.

Ashcraft does remind us that Locke's property chapter emphasizes the social utility of productive labor (1986, 263–66). But there is no more reason to equate utilitarianism than mercantilism with radicalism. When it comes to showing that Locke actually intended standards of social utility to undermine aristocratic property, Ashcraft comes up short. To condemn waste on moral grounds, as Locke does, is not necessarily to challenge the legal right to waste one's property. And, in fact, Locke goes so far as to forbid the unauthorized enclosure of waste lands in civil society. Ashcraft realizes that this undermines his contention that Locke's opposition to waste was meant to have radical consequences. He responds by pointing out that Locke did encourage enclosure wherever enclosure laws are doubtful or nonexistent—even the re-enclosure of already enclosed but unused land (1986, 272). But that amounts to reiterating the non sequitur that Locke opposed waste, since again Locke did not advocate breaking or changing laws on the basis of his creationism. If indeed "Locke's chapter on property is one of the most radical critiques of the landowning aristocracy produced during the last half of the seventeenth century" (1986, 273), this appears to say more about Restoration quiescence than Lockean radicalism.

Ashcraft insists that "once and for all, the point must be lodged firmly in the minds of interpreters of Locke's political thought that, seen in the context of *his* contemporaries in general, and in relation to the Whigs in particular, Locke wrote the *Second Treatise* for a radical *minority* of individuals with whom he and Shaftesbury were associated, and not for some ex post facto fictional majority of politically conscious seventeenth-century Englishmen conjured up from the imaginations of later commentators and historians" (1986, 327). But despite this avowed historicism in defining "radicalism" (see also 1986, xvi–xvii), Ashcraft appears to conflate radicalism as defined by Locke's contemporaries with radicalism in the sense of a continuous

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tradition extending from the Levellers to the democrats of the eighteenth century and the socialists of the nineteenth. It is as if Locke's participation in the latter tradition, and thus the derivation of "radical implications" from his writings, can be *assumed* as long as one shows, or tries to show, that he was a radical in the first sense.

It is important to learn that Locke was not the caricatured ivory-tower defender of aristocratic revolution. But knowledge of Locke's actual historical context does not *automatically* translate into a clearer understanding of what he meant to say in the *Two Treatises*.

Nevertheless, Locke's political radicalism remains a possibility. His revolutionism does constitute radicalism of one type, and although the alleged social radicalism of the *Two Treatises* is probably neither logical nor demonstrable, Ashcraft does make a plausible argument for a somewhat radical interpretation of Locke's view of 1688. Moreover, it is conceivable that Locke disagreed with his mentor and wanted to broaden the suffrage even beyond its wide seventeenth-century reach. We are left, then, with a Locke whose *Treatises* advocated radical means toward the achievement of ends that looked radical to many contemporaries; but we do not yet have reason to think that these ends were much different from the parliamentarian and tolerationist revolutionism which Shaftesbury has long been known to have advocated, and which has long been interpreted as being embodied in the *Two Treatises*.

Thus, I see little that would distinguish the late, revolutionary Locke of the 1680s from "the majority of Presbyterians" of the Interregnum who "had seen their limited objectives of resistance overrun by Levellers, Republicans and radical sectarians who seemed to spring up like mushrooms as the revolution ran its course" (1987, 13). As a thought experiment, we might ask ourselves how such Presbyterian moderates would have reacted, thirty or forty years later, to the threat of a return of the Catholic absolutism they hoped they had forever banned. The less timid such Presbyterians were, the more readily they might have risked stirring up the rabble in order to bring about a permanent constitutional change. This seems at least as plausible a scenario as one which assumes that Locke and Shaftesbury were converts to Levelling or Republicanism, and there is much more evidence for it.

Locke as Economic Radical

The various arguments for Locke's political radicalism are developed primarily in Ashcraft's earlier book; what I shall call the argument for

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Locke's economic radicalism is made most extensively in his more recent one. This latter argument requires the abundant use of textual interpretations that are strained at best.

Ashcraft begins with the "creationist" analysis of Locke's theory of natural law (1987, ch. 2). This analysis is drawn from Locke's unpublished *Essays on the Law of Nature,* written in 1660—in Locke's "early" period, six years before he met Shaftesbury, twenty-one years before he wrote the *Two Treatises*—this despite Ashcraft's own characterization of Locke's early views as immature, "strikingly unoriginal," and the product of a narrow Anglican orthodoxy (1987, 14–16). There is, of course, no reason to assume that there was *no* continuity between the early and the late Locke. It is just that the reading of the chapter on property in the *Two Treatises* presented in Ashcraft's later book depends *entirely* on the holism that would make this continuity relevant. By holism I mean Ashcraft's apparent assumption that if we can find evidence that Locke's late *theological and ethical* views remained congruent with his early ones, then they must constitute the "basic structure of Locke's thought" (1987, 46–47); therefore they must have shaped his *legal and political* ideas, particularly his view of property, in the *Two Treatises*—even though there is "nothing in Locke's [1660] essays on the Law of Nature that is incompatible with the political conservatism" that so drastically changed when Locke became Shaftesbury's right-hand man (1987, 16).

The role of this holism becomes clear in Ashcraft's textually unsupported insistence, after he cites a quotation from the *Essays* in which Locke derives our ethical "duties" from God's creation of man, that "the performance of 'certain duties' is a prerequisite feature of the individuals *who create a political society.* Unless these duties are performed, *politics* can have no meaning for Locke" (1987, 38–39, emph. added). Ashcraft makes these assertions in order to carry the ethical duty to be charitable (1987, 44) over into Locke's theory of politics and property—despite the fact that, as Ashcraft points out (1987, 43), Locke is careful to hive off a category consisting of matters "of which the outward performance is commanded, for example . . . the relief of one in trouble, the feeding of the hungry: in these matters we are not under obligation continuously. . . . For we are *not* obliged to provide shelter and to refresh with food any and every man, or at any time whatever, but only when a poor man's misfortune calls for our alms and our property supplies means for charity." Sidestepping this caveat by emphasizing a passage from a letter in which Locke "insists that 'we are *bound* [Ashcraft's emphasis] to maintain and promote' sentiments of 'universal charity, goodwill and love' toward others according to natu-

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ral law under all conditions whatsoever" (1987, 44), Ashcraft asserts a dominant role for ethical theory in Locke's politics, such that any altruistic statement Locke makes can be presumed to be so integrated with the whole that it can be used to explain the intent of the *Treatises*. Yet in the *Essays*, Locke writes that "this permanently binding force must not be supposed to be such that men would be bound at all times to perform everything that the law of nature commands. . . . The binding force is continuous though it is not necessary that the action is."[35] Ashcraft simply assumes that Locke meant to translate the circumstance-specific ethical duties of individuals into political/legal principles, but Locke's insistence on their particularistic nature suggests quite the opposite.

Ashcraft's holistic approach is similarly evident in his interpretation of the natural-law framework for the state of nature in the *Second Treatise*. Men are, in Locke's words, "the servants of one Sovereign Master, sent into the world by his order and about his business" (2.6); "the question is, then," Ashcraft assumes,

> what is the "business" or purpose to be achieved through God's having created individuals in a state of nature. Locke replies that the Law of Nature "teaches all mankind . . . that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions." Moreover, as it is clear from natural law that "every one as he is bound to preserve himself . . . so by the like reason when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind" (2.6). . . . Positively, natural law obliges them to act in a manner that will preserve mankind in general. [1987, 101–2]

Unquestionably Locke believed that people should not harm each other—indeed, that they should help preserve each other. But only Ashcraft's holism allows him to assume that in saying so Locke *must* (because of his creationism) here be answering the "question" of the God-given "purpose" of human life, yielding an ethical obligation for each person to preserve all others. For in reality the passage never even asks this question, let alone "replies" to it, for the excellent reason that in writing it, Locke appears to have been engaged in the political task at hand—defeating Filmer's absolutism, with whatever tools were handy—not in the careful construction of a system of ethical obligations. Read in its entirety, section six of the *Second Treatise*, which cannot be quoted here in full, establishes that very different emphasis. Locke is indeed arguing that the state of nature is governed by natural

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law, but nowhere in the section does he suggest that that law defines the "business or purpose to be achieved through God's having created individuals in a state of nature." Locke mentions that mankind is pursuing God's "business" only in order to establish that *God has jurisdiction over man*. That jurisdiction does indeed allow God to command all men to preserve human life; in turn, however, this commandment allows Locke, in the crescendo of the section, to argue that "there cannot be supposed any such *Subordination* among us, that may Authorize us to *destroy one another,* as if we were made for one anothers uses" (2.6). Plainly, Locke has erected not a universal right to receive charity, but a barrier against Filmerian absolutism, which simply disappears from Ashcraft's account of the passage.

This raises the deeper problem with Ashcraft's interpretation of Locke's creationism: in his hands it is itself wholly an apolitical, ethico-theological category. Jeremy Waldron has shrewdly pointed out, however, that Locke's assertion of natural-law *duties* served the political purpose of fending off the Grotian challenge to non-absolutist natural law, to wit: What is to stop people from alienating their rights by "selling themselves as slaves to an autocrat"? For if natural law imposes the duty to preserve ourselves, "it would be *wrong* for us to try and alienate the right of self-defense and others like it in a contract of subjection." Waldron cites precisely the "creationist" passages from 2.6 that Ashcraft uses to establish the ethical purposes for which God created man, but Waldron does not neglect the anti-absolutist conclusions those passages support. From God's creation of mankind "it followed that rulers, like all men, had a general background duty not to harm their subjects. Since their subjects could not morally be thought to have freed their rulers from this duty, since it was a duty owed not just to them but to their creator, even conventional political authority must be limited by constraints of natural law."[36] Why did Locke use creationism in the *Two Treatises?* Holism makes it plausible to answer that it was as an ethical proclamation, not a political strategm, but this view requires a very selective reading of the text.

Another instance of the dangers of holism is found in Ashcraft's many citations (e.g., 1987, 46, 53, 101, 107, 138) of an innocuous quotation from page 163 of Locke's *Essays,* which Ashcraft assumes is a programmatic statement: " . . . according to the law of nature all men alike are friends of one another and are bound together by common interests. . . ." This innocent aside is repeatedly made to carry the awful evidentiary burden of showing that "individuals must be presumed to exist in a natural community . . . [which,] Locke main-

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tains, must be taken as the moral starting point for the consideration of *political* relationships" (1987, 46, emph. added).[37] Ashcraft assumes this passage can be linked to Locke's statement that "the preservation of all mankind constitutes 'the true principle to regulate our religion, politics, and morality by'" (quoted in 1987, 46) in order to reach the sweeping conclusion that *nothing* can "override the importance of Locke's conception of the universe in terms of the collective and communal responsibilities of mankind" (1987, 46–47). But in reality, the phrase from the *Essays* is no communitarian manifesto. It is a bit of anti-Hobbesian boilerplate from which Locke derives only the conclusion that consent has nothing to do with natural laws, since a consensual measure such as safe passage for diplomats presupposes the possibility of war, a presupposition which disregards the obvious natural law against "a perpetual and deadly hatred among men." This offhand comment is a weak foundation for Locke as communitarian. (Moreover, it is mysterious why this early dissociation of natural law from consent, which flies in the face of Locke's later position, is allowed to drop from his worldview unmourned, while the aside about mankind's common interests is assumed to "structure" the *Treatises* [1987, 46].)

I do not deny that for Locke "political society can be seen as the collective enforcement of natural law" (1987, 112); I question only the assumption that Locke's political use of natural law was rooted in a deep commitment to communitarianism. It is only by way of this assumption that Ashcraft equates the Lockean right of men to "their preservation" (2.25) with "a natural right to subsistence" (1987, 126),[38] and it is to explicate this "right" that, as we are about to see, Ashcraft believes Locke wrote the chapter on property in the first place.

In a body of work as large as Locke's, there are bound to be occasional statements that can be pieced together to form a picture at variance with that which emerges when any one of the statements is examined in context. I have yet to find a case, however, in which Locke unequivocally reaches conclusions more communitarian than most other seventeenth-century Englishmen would be comfortable with. One such Englishman wrote: "As the Father over one family, so the King, as Father over many families, extends his care to preserve, feed, clothe, instruct and defend the whole commonwealth."[39] These are the words of Sir Robert Filmer. Yet they hardly indicate that a belief in claims to subsistence, education and clothing must have structured his political thought.

Ashcraft ends up with an esoteric derivation of what turn out to be

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Locke's commonplace ethical platitudes; while their very cultural ubiquitousness might itself explain why such deep digging is required to recover them—they are undoubtedly assumptions Locke considered to be uncontroversial, so why should he have spelled them out?—it also calls into question the value of what is thus dug up.

Locke as Moral Philosopher

Locke's supposed communitarianism allows Ashcraft an altruistic interpretation of Locke's property theory. As evidence for this altruistic reading Ashcraft (1987, 81–88), like Tully, turns to Locke's argument against Filmer's view that God gave ownership of the world to Adam and thus to his heirs, the kings of men. On the contrary, argues Locke, "God in this Donation, gave the World to Mankind in common, and not to *Adam* in particular" (1.30). In my view, this passage does hold the key to unraveling the anomalies in Locke's view of property—including the main mystery: why he was writing a theoretical derivation of property in the first place, given the consensus among Englishmen that property was a good thing. But neither Tully nor Ashcraft succeed in exploiting its potential, because by the time they discuss it they are so committed to assumptions about Locke's communitarian worldview that this seems to be but another instance of his "radicalism." Thus, Ashcraft makes this Lockean argument into an instantiation of the "divinely granted right to subsistence" (1987, 94) which shapes Locke's alleged "positive statement of his own position on property" (1987, 82).

Absent holistic assumptions, I do not see why Locke should have been the least bit interested in presenting a "positive position on property" *per se* in an Exclusion tract; we have already seen that Ashcraft provides no convincing political reasons for such a presentation. This is why I have divided Ashcraft's view of Locke as radical into "political" and "economic" components, though Ashcraft does not do so. For in the 1987 book one detects the portrait of an economically radical—but historically abstract—Locke emerging from under the political radicalism of the 1986 volume. Although, in an analytical sense, there is a continuity between economic and political radicalism, the fact is that in *Locke's "Two Treatises,"* Ashcraft establishes the "creationist," communitarian Locke without any important recourse to the Exclusion conflict discussed at length in *Revolutionary Politics*. Intentionally or not, then, the later book develops a view of Locke as com-

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munitarian moral-political philosopher which could stand apart from the political context presented in the earlier book, leaving us in the quandary the 1986 work was supposed to end: how do the *Treatises* relate to Locke's historical context?

Beyond holism, is there any direct textual evidence to justify Ashcraft's communitarian view of Locke's theory of property? He follows Tully in citing 1.40 as a "'confirmation of the original community of things amongst the sons of men,' which is reaffirmed in other scriptural texts" (1987, 88). But what if Locke had God donate the earth to mankind in common merely *in order to forestall Filmer's argument that an Adamite donation justifies absolute obedience to the kings, who are his heirs?* In that case, we need not assume that Locke's purpose is "to present an outline of his own general position on property," which supposedly "rests on the proposition that property is a right held in common by all mankind" (1987, 87). Abandoning this assumption allows us to notice that in 1.40, Locke is referring to "the Original Community of all things amongst the Sons of Men" only in the sense in which natural property is *unowned* before its individual appropriation. Thus, he proposes not collective use-rights as opposed to private appropriation, but individual use-rights as opposed to Adam's sole dominion. It is not that Adam's descendants have the right to use God's earth communally, but rather that they have *in common* the right to use God's earth individually. (Would not a truly communitarian theory argue otherwise?)

This interpretation gains credibility from the next passage Ashcraft analyzes: 1.87. Ashcraft maintains that in this section Locke contends that, "since all children have an equal right to their father's property . . . everyone has 'an equal right to the use of the inferior creatures, for the comfortable preservation of their beings, which is all the property man hath in them . . . and thus men had a right in common . . . [to] provide for their subsistence'" (1987, 88). But the last ellipsis inserted by Ashcraft omits a comma followed by the words "*Adams* children in common with him." This phrase suggests that all Locke means by "right in common" is "right common to all human beings, as opposed to one exclusively possessed by Adam." Thus, far from setting forth his own communitarian theory of property, Locke appears to be absorbed in refuting Filmer's claim that Adam's use-rights are exclusive, and are therefore grounds for Adam's (and the kings') political superiority to everyone else.

To demonstrate the "subsistence rights" that are said to flow from Locke's communitarianism, Ashcraft follows Tully in claiming that in

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the *First Treatise* Locke argues not only that fathers owe their children sustenance, but that,

> more generally, "any needy individual" has "a right to the surplusage" of another's goods, "so that it cannot justly be denied him, when his pressing wants call for it," for it is always "a sin in any man of estate, to let his brother perish for want of affording him relief out of his plenty." In short, "God requires him to afford to the wants of his brother," and adherence to this principle "gives every man a title to so much out of another's plenty, as will keep him from extreme want, where he has no means to subsist otherwise" (1.42). . . .
>
> Locke's defense in the *First Treatise* of the equal natural right to property which everyone has is significant, I am arguing, not simply because it is the ground from which he launched his attack against Filmer, but also because it is so clearly tied to a natural law position and a reading of God's intentions in terms of which any concept of property must be defined. [1987, 88–89]

Now, viewed in isolation, 1.42 does make what look to be the large claims Ashcraft adduces. But in context, this appearance turns out to be deceiving. The context is established in 1.41, where Locke asks whether, even if, as Filmer claims,

> by this Donation of God, *Adam* was made sole Proprietor of the whole Earth, what will this be to his Soveraignty? And how will it appear, that Property in Land gives a Man Power over the Life of another? Or how will the Possession even of the whole Earth, give any one a Soveraign Arbitrary Authority over the Persons of Men? The most specious thing to be said, is, that he that is Proprietor of the whole World, may deny all the rest of Mankind Food, and so at his pleasure starve them, if they will not acknowledge his Soveraignty, and Obey his Will. [1.41][40]

In 1.41, then, Locke establishes that he is considering whether, even if it had occurred, an Adamite donation would entitle Adam or his heirs to demand *political allegiance* from anyone. Then in 1.42 he argues, in the passages quoted by Ashcraft, that it would not, because of the "Right to the Surplusage" Ashcraft cites. "And therefore," Locke concludes (just after the passages quoted by Ashcraft), "no Man could ever have a just Power over the Life of another, by Right of property in Land or Possessions," for

> *Charity* gives every Man a Title to so much out of another's Plenty, as will keep him from extream want, where he has no means to subsist

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> otherwise; and a Man can no more justly make use of another's necessity, to force him to become his Vassal, by withholding that Relief, God requires him to afford to the wants of his Brother, than he that has more strength can seize upon a weaker, master him to his Obedience, and with a Dagger at his Throat offer him Death or Slavery. [1.42]

It should be apparent that Locke is invoking "charity" only against one who would take advantage of another's needs in order to claim political sovereignty; and while it is true that Locke presents his argument in terms that sound applicable to all cases of need, if he means this as a claim to some sort of generally enforced right to subsistence, it is strange that he *never* comes out and says so. In the absence of such a statement, we are entitled to conclude that Locke meant to address only the issue he was explicitly pursuing: Filmer's absolutism. The only limitation his argument can be taken to impose on property ownership is the obligation to be charitable.

Just how small a limitation that is is revealed in the very next sentence, where Locke suggests that it would be legally acceptable for a poor man to pledge obedience to a rich savior in exchange for the very subsistence Ashcraft claims Locke views as a natural right—although it would be cruel for the rich man to demand such obedience:

> Should any one make so perverse an use of God's Blessings poured on him with a liberal hand; should any one be Cruel and Uncharitable to that extremity, yet all this would not prove that Propriety in Land, even in this Case, gave any Authority over the Persons of Men, but only that Compact might; since the Authority of the Rich Proprietor, and the Subjection of the Needy Beggar began not from the Possession of the Lord, but the Consent of the poor Man, who preferr'd being his Subject to starving. [1.43][41]

If in 1.42 Locke did indeed intend to set out the rudiments of a right to the means of subsistence, why should he in 1.43 countenance the legitimacy of consensual political obedience premised on the *lack of* means of subsistence?

There are countless other instances in which Ashcraft must use implausible textual readings in order show Locke's communitarian altruism, for which those cases discussed above will have to stand. In good faith, Ashcraft's interpretation compels him to view Locke through a distorting lens, making someone whose writings as a whole leave no doubt as to his conventional views appear to be a kind of unwitting proto-socialist. This problem is much more serious in Tully's inter-

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pretation of Locke; one of the few reviewers of his *A Discourse on Property* who checked its citations noted that "there are a number of passages where what Locke says is either misreported or pretty clearly misunderstood," and advised that "anyone reading Tully's book" be sure "to keep the text of the *Two Treatises* beside him, and compare for himself each section to which Tully refers with the meaning Tully extracts from it."[42] Although not nearly to the same degree, a similar caveat must be applied to Ashcraft's discussion of Locke on property, especially that in his *Locke's "Two Treatises of Government."*

Locke as Liberal

In the light of the highly suspect readings of Locke that are necessary to sustain the new, "radical" orthodoxy, the old view of Locke as a defender of inviolable individual property rights may appear relatively sound. Indeed, Ashcraft's presentation of Locke's political context can easily be seen as finally giving the old view a plausible historical basis. For while there are no grounds for interpreting the Exclusion Crisis (or, for that matter, the Glorious Revolution) as a battle over private property as such—nobody *opposed* private property, after all—it does seem at least superficially reasonable that Locke might have devised his property theory as a way to defuse the charge that Whig Exclusionists were, intentionally or not, opening the door to the property "levelling" of Civil War radicalism (1986, 246–50). Moreover, by rebutting this charge with a theory that justified inviolable private property, Locke could appeal to the insecurity about the safety of their property felt by many of those who feared the coming of a "popish king."

This interpretation is given in Ashcraft's earlier book's chapter on "Whig Ideology." But it is quite incompatible with most of the rest of that book's treatment of property (discussed above), especially that of the chapter "Class and Politics," which presents the claims that Locke was criticizing aristocratic property and was arguing for entitlement rights to property (the view elaborated in the later book). I do not see how Ashcraft can maintain the simultaneous validity of these interpretations; and since the radical one has numerous flaws, we might be tempted to embrace the old orthodoxy as refurbished in Ashcraft's "Whig Ideology" chapter.

Yet this would be a mistake, for the conventional interpretation faces problems as serious as those confronting the radical one. The main problem is this: for Locke to have produced his property theory

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in order to reassure the English gentry that the Whigs posed less of a threat to "private property rights" than the Crown, that theory presumably would not only have to establish such rights; it would then have to forbid, or at least limit, government interference with them. And although this is precisely what the conventional interpretation implies that Locke did, Tully and Ashcraft point out what Willmoore Kendall noticed almost fifty years ago: it just isn't so.[43] For as Ashcraft puts it, Locke holds that "by joining a political society, the individual 'submits to the community those possessions, which he has, or shall acquire.' Both the person and his possessions become subject to the government. . . . The land itself, whatever the owner chooses to do, belongs to the political community, as a result of the first incorporation of the latter (by the landowner's father, for example) in which all property was ceded to the community" (1987, 180–81). In Locke's words, "the laws regulate the right of property, and the possession of land is determined by positive constitutions" (2.35). Sections 2.119 and 2.120 provide ample support for Ashcraft's gloss on this. It is here—not in any communitarian subtext—that the old view of Locke on property fails. Locke does establish inviolable individual property rights in the state of nature; there is no ground for interpreting these as expressions of rights to subsistence in the sense Tully and Ashcraft imply. But the moment the individual leaves the state of nature, he "incorporates himself" into the commonwealth, and,

> by his uniting himself thereunto, annexe[s] also, and submits to the Community those Possessions, which he has, or shall acquire, that do not already belong to any other Government. . . . By the same Act therefore, whereby any one unites his Person, which was before free, to any Commonwealth; by the same he unites his Possessions, which were before free, to it also; and they become, both of them, Person and Possession, subject to the Government and Dominion of that Commonwealth, as long as it hath a being. [2.120]

There is no way to reconcile these passages with the traditional view of Locke as defender of private property.

Nor should this be surprising. Two hundred years later a Herbert Spencer might discern, in the expansion of the suffrage and of the state, a threat to the free market so severe that a drastic limitation of state power was called for, in the form of inviolable private property rights. But the absolutism Locke feared was not a matter of government power per se, but of its use for evil ends. The Whigs never envisioned a "libertarian" program that would limit the powers of govern-

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ment by means of inviolable private property; they wished only to subject government powers to parliamentary control, in order to ensure that they were used for the "public good" to which Locke so frequently appealed.

Why, after all, should they have done otherwise? The dare Filmer flung at those who opposed absolutism on natural-law grounds was, in Laslett's words, for them to "get their free and equal individuals out of the state of nature into any sort of society by means of contract."[44] Yet as Nozick's *Anarchy, State and Utopia* effectively points out, once an inviolable right to private property is granted, this is exactly what *cannot* be done.[45] If Locke sought to reassure people about the Whigs' non-radicalism, a theory of inviolable individual property rights does not seem very well designed to meet the challenge (as it was posed by Filmer). Even three hundred years before Nozick, it may have been apparent that to take literally Penn's vision of every man as "a sort of little Sovereign to himself," as Locke is often interpreted as doing, would have meant recreating the very anarchy Filmer held out as the threat posed by individual-consent theories of government. "To grant the individual the right of 'being his own judge and assertor of his own privileges,' the Tories insisted, would produce 'an independent herd of licentious and ungovernable men . . . not a compact body of citizens united together" (1986, 298). Would not an inviolable right of private property produce the same result? (Not surprisingly, Penn and the other proponents of "property rights" were always careful to note that these rights did not hold against properly constituted governments, but only against arbitrary despotisms. But that concession transforms the advocacy of inviolable private property into advocacy of private property limited by constitutional government.)[46]

Even aside from the historical context, moreover, Locke would have had good reasons not to advocate inviolable property rights. How, after all, would government be paid for without taking people's property in the form of taxes?[47] Neither the mercantilist Locke nor the former Chancellor of the Exchequer Shaftesbury nor any other Whigs were inclined to oppose government intervention in the economy in general, or taxation in particular, as a matter of principle. Yet such "right-wing" libertarian principles would seem to follow from the older interpretation of Locke.

Locke and his fellow Whigs were not atomistic individualists; but the conclusion to draw from this is not that they must have been communitarian altruists. Just such a conclusion, however, appears consistent with Ashcraft's interpretation. Now in point of fact, there is a

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curious ambiguity in his view that draws him back from the unsustainable claim that Locke was an economic radical. We have already seen that he sometimes qualifies Locke's economic radicalism as representing only a *potential* consequence of his doctrines; and in the more systematic 1987 volume, after seeking to establish at great length the communitarian dimension of Locke's state of nature, Ashcraft seemingly allows Locke's story of the invention of money to do away with that aspect entirely, leaving individuals free to appropriate unlimited private property. Thereafter, "only the natural right to subsistence can claim precedence with respect to the surplus of goods owned by an individual. Barring this specific instance, those goods are his by right" (1987, 142; cf. 1986, 256, 266, 272–73). It appears that Ashcraft envisions private property rights hedged in only by a very infrequently-invoked right of the poor to subsistence—unlike Tully, who sees Locke's theory of property as the basis of a new social order. Why, then, did Locke bother spending so much energy articulating his "communitarian" view of property? Moreover, if Ashcraft minimizes the practical impact of Locke's property theory, why does he labor so mightily to dredge up Locke's communitarian altruism from his collected works? The only reason I can find is that the communitarian-altruist framework helps establish Locke's egalitarianism, and thus his *political* radicalism, as against the likes of Macpherson's claim that Locke sought to restrict the franchise (1987, 175).

Despite the neutralization of Locke's egalitarian *economic* doctrine by the invention of money, though, Ashcraft does think Locke's property theory contained seeds of economic radicalism; for that neutralization was only caused by Locke's unfortunate decision to leave economic matters "to the realm of prudential action, which deals with 'conveniences' rather than rights," preventing him from "extend[ing] the meaning of his moral argument to include the right to restructure the economic order along the lines of a more equitable distribution of wealth" (1987, 264). Thus "Locke's thought expresses the tension within liberalism as a social theory between its universalistic claims to moral and religious equality—liberty, equality and fraternity—and its instrumentalist treatment of human beings as part of the process of capital accumulation"; this is due to Locke's "indifference to the socio-economic suffering of the individual" (1987, 265).

This analysis appears to be premised on the assumption that if, as we have just seen is the case, Locke's property theory does not embody the atomistic individualism of legend, then the community's control over private property laid out in 2.119 and 2.120 *must have* reflected a

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proto-leftist worldview. Locke's property theory can only have been either "conservative" or (at least potentially) "radical," reflecting the "radical-conservative dichotomy at the heart of liberal political theory" (1987, 265). That dichotomy undergirds the "new orthodoxy": since Locke was a revolutionary plotter who favored some form of popular sovereignty, he could not have been a conservative; so his "radical" worldview can be painstakingly reconstructed from stray passages in his unpublished writings. Such archeological exercises are necessary because Locke's anemic social consciousness blinded him to the radical conclusions to which his own theory should have led him.

The dichotomy is, however, anachronistic: libertarian, private-property conservatism knew no seventeenth-century parallels. If anything, the political spectrum ranged from the party of order (personified by Filmer) to the party of egalitarian individualism (personified by the Diggers). Twentieth-century "right"-libertarianism was nowhere to be found, but liberalism, or proto-liberalism, was: in the middle. If Locke has any lasting significance, it is neither as a forerunner of socialism nor of "conservatism." Instead, his thought was grounded in a moderate pragmatism which had concluded, given the experience of the first half of the century, that absolutist regimes did not lend themselves to the public good.

On the one hand, Locke did *not* countenance inviolable property rights against the state. And if nothing else, the mildly communitarian sentiments underlined by Tully and Ashcraft make hash of the fanciful depictions of Locke as "possessive individualist." On the other hand, the idea of Locke as economic radical is borne out neither by biographical evidence of his political involvement nor textual examination of his theories of political right and social obligation. Locke, it could be argued, ends his *Two Treatises* with exactly the kind of property rights extant in his time, and in ours. Individuals own property, but it is defined, regulated and taxed by the government. These state powers do not violate property rights unless they are exercised in an absolute, arbitrary manner—that is, in a manner that does not serve the common good for which individuals presumably consented to join civil society. Governments which consistently fail to serve the common good can be replaced by means of rebellion. But governments which disturb their subjects' property "for the common good" are just fine. This interpretation cannot be defended or even elaborated here, but it is suggested by both the strengths and weaknesses of Ashcraft's interpretation.

There is so much to admire in Ashcraft's two books[48] that one feels

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ungrateful for disputing some of his claims. But he does not seem to me to have produced an interpretation of the text that adequately reflects the context he has assiduously uncovered. We know, in no small part due to Ashcraft, that Locke was a revolutionary, and that he associated with the "radicals" of his day in pursuing the cause of Exclusion. But to assume that this means Locke was a (potential) economic radical is not much better than to assume, as the old interpretation did, that inasmuch as Locke spoke for a cause pursued by aristocrats, his theory can be reduced to an apology for aristocratic property. In fact, truly coming to grips with Laslett would mean eschewing the assumption that Locke set out to say anything at all about property save what he had to in order to defeat Filmer's *political* absolutism. It is the idea of Locke as property theorist, rather than as politician, that leads inexorably to Locke-as-libertarian conservative, Locke-as-leftist, or some variation on these themes. In this respect, the new orthodoxy is no different from the old.

Still, Locke's political argument may yet bear out the idea of a dichotomy within liberalism—not a dichotomy of conservatism and radicalism, but of pragmatism and egalitarianism. Only the modern version of this conflict pits "conservatives" against "radicals": only the last 200 years have seen the emergence of property distribution as *the* egalitarian political issue. The peculiar requirements of Locke's polemic against Filmer create the illusion that "property" in the modern sense was Locke's concern. But the fundamental tension in Locke's thought lay not in his unwillingness to see the radical implications of his Christian altruism and communitarianism, but in his attempt to use the truly radical, egalitarian requirement of individual consent to government[49] in the service of the pragmatic purposes of Shaftesburean liberalism. Locke had to develop a doctrine of "tacit consent" in such a way that individual "consent" could be said to be extended to any government that pursued the public good,[50] possibly because individual consent contained the seeds of a most unpragmatic, "enthusiastic" egalitarianism which has ever since been at war with more mundane liberal concerns.

NOTES

1. Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), 202–51.
2. C. B. Macpherson, *The Political Theory of Possessive Individualism* (New York: Oxford University Press, 1962), 194–262.

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3. *Ibid.*, 257.
4. Strauss, 251.
5. For a provocative discussion that places the source of Strauss's and Macpherson's agreement in a largely unfounded view of liberalism created by "humanist" anti-liberals of the left and the right, see J. G. A. Pocock, "Authority and Property" in Barbara C. Malament, ed., *After the Revolution* (Philadelphia: University of Pennsylvania Press, 1980), esp. 339–40.
6. Macpherson, 196.
7. Strauss, 245.
8. John Locke, *Two Treatises of Government,* ed. Peter Laslett (Cambridge: Cambridge University Press, 1963 [1960]). My direct citations of the *Treatises* are drawn from this edition.
9. Macpherson, 121.
10. James Tully, *A Discourse of Property: John Locke and His Adversaries* (Cambridge: Cambridge University Press, 1980), 61, 167.
11. Macpherson, 204, 211; Robert Nozick, *Anarchy, State and Utopia* (New York: Basic Books, 1974), 175, quoting sec. 27 of the *Second Treatise.*
12. Tully, ix.
13. Cf. Maurice Cranston, *John Locke: A Biography* (New York: Oxford University Press, 1957), 180–83.
14. Ashcraft argues that Locke wrote the *First* and *Second Treatises* in 1680–81 and 1681–82, respectively (1987, 286–97), rather than in 1680 and 1679–80, as Laslett believed (Laslett, 78).
15. Cf. J. P. Kenyon, *Revolution Principles: The Politics of Party, 1689–1720* (Cambridge: Cambridge University Press, 1977); Mark Goldie, "The Revolution of 1689 and the Structure of Political Argument," *Bulletin of Research in the Humanities* 83 (Winter 1980): 473–564.
16. Although Ashcraft points out plausibly (1986, 309) that Locke had reason, by the time the *Treatises* were published, to be ironic about the people's reluctance to rebel—it had taken them six years to do so, after all—I can find no trace of this irony in the text which would undermine Locke's emphatic denial that rebellion would be frequently or lightly undertaken.
17. K. H. D. Haley, *The First Earl of Shaftesbury* (Oxford: Clarendon Press, 1968), 98, 99, 122, 131.
18. Ashcraft argues that despite Locke's apparent openness to monarchy, only parliamentary government is truly acceptable to him (1987, 118), because in order to meet his objection to absolute power, "legislative and executive power cannot remain in the same hands" (1987, 114)—as they do in an unmixed monarchy. Ashcraft admits that Locke's explicit countenancing of oligarchy and monarchy seems to contradict this conclusion, and he cannot resolve the contradiction. This is because Ashcraft takes 2.143 and 2.159, which associate "well order'd Commonwealths" with the separation of powers and the creation of a legislative assembly, to mean that Locke believes any government without such an assembly to

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be absolutist. But Locke actually writes that "it may be too great a temptation to humane frailty apt to grasp at Power, for the same Persons who have the Power of making Laws, to have also in their hands the power to execute them, whereby they may exempt themselves from Obedience to the Laws they make, and suit the Law, both in its making and execution, to their own private advantage, and thereby come to have a distinct interest from the rest of the Community, contrary to the end of Society and Government" (2.143). As with majority rule in deciding the form of government, here Locke is advancing a prudential argument for a separate legislative assembly; he is not absolutely proscribing a government without one. As long as the monarch or oligarchs in such a government did not submit to the temptation to exempt themselves from the laws, they would presumably not substitute their private interests for the common good—which is Locke's only criterion of absolutism.

19. Haley, 74–79.
20. *Ibid.*, 82, 86–88.
21. *Ibid.*, 97.
22. *Ibid.*, 113.
23. Shaftesbury pamphlet quoted in *ibid.*, 122.
24. *Ibid.*, 117–18, 130.
25. *Ibid.*, 138, 139.
26. *Ibid.*, 165–66.
27. Quoted in *ibid.*, 245.
28. Quoted in *ibid.*, 243.
29. Cranston, 186, 120.
30. Ashcraft also attempts to establish Shaftesbury's radicalism by claiming that

    > from what we do know of his personality, Shaftesbury apparently lacked the pretentiousness and class-conscious contempt for social "inferiors" so often expressed by members of the seventeenth-century aristocracy, an attitude that effectively isolated them from social contact with the lower classes. Lady Masham wrote that Shaftesbury was "a great enemy to constraint and formality, having, above all men, the art of living familiarly without lessening anything at all of his dignity. Everything in him was natural, and had a noble air of freedom" about it. [1986, 82]

    The force of this evidence lies entirely in Ashcraft's association of pretense with class consciousness, which is quite unwarranted: there is no reason to think Masham was saying that Shaftesbury acted like the equal of his social inferiors, regardless of how natural he was with his social equals. Haley (192), in fact, quotes Pepys saying that when quarreling with his brother-in-law, Sir William Coventry, "Ashley 'did snuff and talk as high to him, as he used to do to any ordinary seaman,'" which does not sit well with Ashcraft's portrayal of the Earl.
31. Haley, 739–40.

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32. Citing Cranston, 107.
33. Cranston, 107.
34. Francis Bacon, *The Essays*, ed. John Pitcher (New York: Viking Penguin, 1985), 100, 166. It might be argued that this strand of mercantilist thought did, in fact, constitute a radical civic humanist critique of "luxury" which implied that wealth should, in the interests of the polity, be more evenly distributed; but such a critique would be grounded in republican martial, not Christian altruist concerns.
35. John Locke, *Essays on the Law of Nature*, ed. W. von Leyden (Oxford: Clarendon Press, 1954), 195, 193. Cf. Istvan Hont and Michael Ignatieff, "Needs and Justice in the *Wealth of Nations:* An Introductory Essay," in Hont and Ignatieff, eds., *Wealth and Virtue: The Shaping of Political Economy in the Scottish Enlightenment* (Cambridge: Cambridge University Press, 1983, esp. 29–38), in which the Grotian distinction between expletive and distributive justice—the former of which issued in "perfect rights," enforceable by law, the latter in "imperfect rights," or matters of conscience—plays a central role. Locke used this distinction, which was developed by Pufendorf, to make charity "a side-constraint, rather than a structuring condition, on whatever property arrangements happened to be in force. As a side-constraint, moreover, it was not constantly applied but only in necessity" (37).
36. Jeremy Waldron, *Nonsense Upon Stilts: Bentham, Burke and Marx on the Rights of Man* (New York: Methuen 1987), 11, 12–13.
37. Ashcraft also relies on the words "this great and natural community" in 2.128 to bolster his communitarian interpretation. But contrary to his gloss, the point of that section is that due to "the corruption, and vitiousness of degenerate Men," we must *renounce* our power to do what we wish in order to preserve ourselves and others, thereby "separat[ing] from this great and natural Community" by joining political society, which is "private, if I may so call it, or particular"—"separate," that is, "from the rest of mankind," our obligations to whom are thus *not*, as Ashcraft claims, "the starting-point for any consideration of political relationships" (1987, 46).
38. Ashcraft claims that three passages in the *Second Treatise* manifest Locke's continued commitment to the natural right to subsistence. These are drawn from 2.6, 2.159 and 2.183 and, Ashcraft claims, demonstrate that according to Locke, "everyone has a duty to provide for the subsistence of everyone else, where this does not come into competition with a person's efforts to provide for his own subsistence" (1987, 127).

    We have already seen that 2.6 does not serve the purpose; neither do 2.159 or 2.183. In 2.159 Locke does write that "the end of Government" is "the preservation of all"—but this is not necessarily the same thing as the end of mankind or of property.

    In the case of 2.183, though Ashcraft can quote Locke saying that "He that hath, and to spare, must remit something of his full satisfaction, and give way to the pressing and preferable title of those, who are in danger

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to perish without it," this is hardly a statement of a general principle. Instead, the question at hand is whether in war a soldier on the side that was aggressed against but which won the war—i.e., the "conqueror"—has the right to seize as compensation from the conquered aggressor's estate even wealth needed to maintain the aggressor children. Far from establishing that the poor have "title" to the surplus wealth of the rich, as Ashcraft believes, this passage shows that "The Fundamental Law of Nature," i.e., "that all, as much as may be, should be preserved," comes into play only to adjudicate the competing "titles" to the aggressor's estate claimed on the one hand by the injured conqueror, who has "a Title to Reparation for Damages received," and on the other by the aggressor's children, who "have a Title to their Father's Estate for their Subsistence." Not only does Locke fail to hint at the more sweeping point Ashcraft reads into this; Locke does not make the much smaller claim that it is the "fundamental natural law"—the injunction to preserve mankind—that establishes even one's own children's subsistence rights. On the contrary, these rights come from a special claim to the father's estate that the children have by virtue of being his children: "my children also, being born of me, had a right to be maintained out of my labour or substance." Only when there is a competing claim is the fundamental law of human preservation called upon to resolve it.

Moreover, if Locke meant to draw a generalized right to subsistence from the law of human preservation, why did he never discuss its implications for adults?

39. Peter Laslett, ed., *Patriarcha and Other Political Works of Sir Robert Filmer* (Oxford: Basil Blackwell, 1949), 63.
40. Ashcraft does quote these passages from 1.41 on his page 89, but he dissociates them from the earlier cited passages of 1.42, labelling them a "second part of Locke's critique of Filmer's view of property." Inasmuch as they are cheek by jowl with the passages Ashcraft considers to be the "first part" of Locke's critique of Filmer, I cannot see how this distinction is justified. The only way the "first part" is called into being is by ignoring the context that precedes it, and then treating that context as the "second part."
41. Again, Ashcraft quotes this passage to make a different point, not discussing its disastrous implications for the communitarian "natural right to property" which he argues Locke advocated, but instead noting the "at least potentially radical implications" of the underlying assumption that "political authority can be conveyed by one individual to another only through the mechanism of consent, no matter how rich or poor the two individuals in question may be" (1987, 92). By this Ashcraft appears to mean that Locke believed that all men, rich or poor, had the right to consent to their government. This is true. But this passage also implicitly contradicts the subsistence rights Ashcraft seeks to ascribe to Locke. According to Locke, the poor man is "free" to "consent" to obeying some-

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one who will extend the means of subsistence to him. Yet if Ashcraft is right, Locke actually believed that nobody should ever be in such a position because everyone is entitled to receive subsistence unconditionally.

42. J. L. Mackie, review of Tully, *The Philosophical Quarterly* 32, no. 126 (January 1982): 92. Particularly egregious is a misinterpretation by both Tully and Ashcraft of a passage on page 211 of Locke's *Essays* (Ashcraft 1987, 132–33 and Tully, 119) which, again, pulls a communitarian-altruist rabbit out of a very conventional anti-Hobbesian hat.
43. Willmoore Kendall, *John Locke and the Doctrine of Majority-Rule* (Urbana: University of Illinois Press, 1959 [1941]), esp. 72, 104.
44. Laslett, ed., *Patriarcha,* 39.
45. Save by means of Nozick's device of "backing into the state without really trying" (Nozick, 1). This was, of course, a solution unimaginable in the seventeenth century.
46. William Penn, "England's Great Interest in the Choice of this New Parliament" (London: 1680), 2.
47. Again, anarcho-capitalist solutions like those proposed by twentieth-century libertarians were hardly live options for Locke.
48. One of Ashcraft's most impressive achievements is one not even discussed in this review: his discovery of a neo-Harringtonian dimension in Lockean thought which, while still not necessarily indicative of Locke's "radicalism," can play a valid role in explaining the chapter on property.
49. Cf. Francis Oakley, "Legitimation by Consent: The Question of Medieval Roots," *Viator* 14 (1983): 303–35; for the novelty of individual consent, see esp. 323–27; for its radicalism, 332–35.
50. Cf. Hanna Pitkin, "Obligation and Consent, I," *American Political Science Review* 59 (December 1965): 996.

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Matthew Levinger

BEYOND THE BOURGEOIS REVOLUTION

THE FRENCH REVOLUTION AND THE CREATION OF MODERN POLITICAL CULTURE, Vol. 1. THE POLITICAL CULTURE OF THE OLD REGIME

edited by Keith Michael Baker

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What role do ideas play in bringing about social and political change? This question, always a point of contention among historians and social scientists, has taken on renewed significance during the last fifteen years in the debate about the origins of the French Revolution. In the twentieth century, most historians have explained the Revolution as the consequence of fundamental economic and social shifts in eighteenth-century France. But research published since the 1960s has undermined the economic interpretation of the French Revolution—and a new generation of historians is paying closer attention to the political and intellectual dimensions of this event. *The Political Culture of the Old Regime* is an anthology of articles by twenty-seven prominent authorities on the French Revolution (seventeen written in French).[1] Together these essays provide the best single-volume synopsis yet available of recent work on the birth of revolutionary politics.

Decline of the Marxist Interpretation

Over the last two hundred years, the French Revolution has been attributed to every imaginable cause. It has been described as a plot hatched by Freemasons; as a rebellion against a bungling Louis XVI

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and his corrupt ministers; as the direct legacy of the political writings of Jean-Jacques Rousseau. By the middle of this century, however, a consensus had emerged among professional historians that the French Revolution could be explained through a theory drawn from the writings of Karl Marx. This theory explained the events of 1789–1794 in France as a "bourgeois revolution" caused by an imbalance of power between the privileged aristocracy and the non-privileged Third Estate. According to this interpretation, while the bourgeoisie had achieved economic predominance in late eighteenth-century France, the monarchy had simultaneously insinuated a monopoly over political power. A conflict between the progressive economic force and the retrograde political power was inevitable. By overthrowing the "feudal" aristocracy, the Third Estate ushered in an era of capitalism and democratic rule.[2]

Today Marxist historians of the French Revolution are in disarray. A series of studies on the society and economy of eighteenth-century France have questioned the theory of the "bourgeois revolution" on virtually every point, portraying it as inaccurate economic history and as a misleading account of revolutionary politics.[3] In 1955, Alfred Cobban initiated the attack in a lecture entitled "The Myth of the French Revolution." Cobban observed that only a small minority of the bourgeois representatives to the Estates General in 1789 came from the world of commerce; a much larger proportion were lawyers and government servants. The Revolution, Cobban argued, was the work not of a rising bourgeoisie but of a declining one.[4] Cobban pushed this argument further in a book published nine years later, in which he called the French Revolution "a revolution not for, but against, capitalism."[5] The bourgeoisie described in Marx's theory was "a class of capitalists, industrial entrepreneurs and financiers of big business," argued Cobban, but the bourgeois active in the French Revolution were "landowners, *rentiers* and officials" who benefited from the privileged order of the Old Regime.[6]

Research published in the 1960s by George V. Taylor supported Cobban's claims. Taylor argued that the French economy was not dominated by a capitalist bourgeoisie in the eighteenth century. On the eve of the Revolution, wrote Taylor, only a small proportion of wealth in France was derived from commerce and industry; by far the largest amount came from landed property. Moreover, the types of capitalism which predominated in pre-revolutionary France bore little resemblance to modern industrial capitalism; nor was capitalist activity confined to the bourgeoisie. Some of the most active entrepre-

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neurs in eighteenth-century France, Taylor discovered, came from the ranks of the nobility.[7]

Additional research has blurred the distinction between nobility and bourgeoisie even further. For example, studies of the provincial nobility have portrayed this group not as the decadent, profligate class depicted in the Marxist theory, but as shrewd and careful managers of their estates.[8] Other studies have shown that the fiscal privileges of the nobility were not nearly as great as historians previously believed. An article by Betty Behrens argued that the French nobility faced a heavy taxation burden; conversely, she claimed, one of the prime beneficiaries of tax exemptions was the commercial bourgeoisie in the great mercantile cities.[9] Taken together, all this research suggests that only a small capitalist class existed in France before the Revolution; that this class was composed of aristocrats as well as bourgeois; that this capitalist class enjoyed privileges perhaps as great as those of the aristocracy; and finally, that the members of the bourgeoisie who were engaged in capitalist enterprise played no significant role in the revolutionary events. The hypothesis that a "rising bourgeoisie" overthrew a "declining aristocracy" in 1789 has been modified beyond recognition.

The demise of the theory of the bourgeois revolution has revealed a paradox in the events of the French Revolution. Today it seems clear that the Revolution was not the work of a vigorous capitalist bourgeoisie; nor was the nobility the dead hand on French society depicted in the Marxist theory. But it is equally clear that the revolutionary leaders of 1789 *believed* that they were fighting against the aristocracy on behalf of the Third Estate; and that the Revolution did replace a social order based on legal privilege with one proclaiming egalitarian, democratic principles.

If the Revolution was not the victory of a rising bourgeoisie, why did it occur? If the nobles were not obstacles to social progress, why was the nobility destroyed? And why did the revolutionaries call for liberty, equality, and democracy, if not because of the manifest inequality and oppression of the Old Regime? Historians of eighteenth-century France have been forced to return to these most fundamental of questions.

As Keith Baker notes in his lucid introduction to *The Political Culture of the Old Regime,* recent historical scholarship displays "a decisive reorientation of interest towards the political and cultural dimensions of the French Revolution" (xi). This book, the first of a projected three-volume series exploring the French Revolution's role in "the

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creation of modern political culture," clearly illustrates this change of focus. The articles in this volume affirm that social conflicts played a critical role in shaping the French Revolution. But they question the idea that politics is "determined" by social and economic forces. In the best of these essays, the boundaries between political, social, and intellectual history disappear. In them, we see not only how social conflicts shaped political rivalries, but also how certain social divisions assumed importance because of intellectual and political developments. These authors deny that political events can be explained through social and economic causes because they reject the very division between social history and the history of political ideas.

The volume is divided into six sections. The first, entitled "Absolute Monarchy and its Representations," includes articles by Michel Antoine, Denis Richet, Ralph Giesey, Emmanuel Le Roy Ladurie, and Michel Vovelle which discuss classic conceptions of the French monarchy. The subsequent five sections focus on the emergence of a revolutionary political culture. Part II, entitled "The State and Corporate Society," contains articles by David Bien, Gail Bossenga, and Hilton Root exploring social divisions in eighteenth-century France. In Part III, "Forms of Political Contestation," William Doyle, Dale Van Kley, Jeremy Popkin, Jacques Revel, and Roger Chartier discuss political conflicts of the pre-revolutionary period. Part IV consists of essays by Robert Darnton, Dominique Julia, Jean Starobinski, and Daniel Roche on the theme of "Enlightenment and Politics." Part V, "The Monarchy and the Estates General," presents analyses by Vivian Gruder, François Furet, Ran Halévi, and Lynn Hunt of the political events immediately preceding the Revolution. In Part VI, "The Evolution of Concepts," Mona Ozouf, Pierre Rosanvallon, Marina Valensise, Keith Baker, Bronislaw Baczko, and Lucien Jaume explore the development of some key political ideas in the years leading up to 1789.

This review makes no claims to comprehensiveness. It will not discuss the first section of the book, which relates only indirectly to the French Revolution. It will also pass over the interesting essays by William Doyle on the French *parlements,* Roger Chartier on "popular culture and political culture in the Old Regime," Dominique Julia on church-state relations, and Vivian Gruder on the late Bourbon monarchy. By focusing on a series of articles that illustrate most clearly some new approaches to the study of the French Revolution, this essay will attempt to show how French historians are reexamining assumptions about the relationship between political and social change.

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Tocqueville Reconsidered

Many studies of eighteenth-century France published in the last thirty years have attempted to test the Marxist explanation of the French Revolution. But as this research has pointed out inadequacies in the theory of the bourgeois revolution, scholars have turned increasingly to another source for inspiration: the writings of Alexis de Tocqueville. Tocqueville's classic study *The Old Regime and the French Revolution* long played a marginal role in debates over the origins of the French Revolution. Both leftist and conservative historians found Tocqueville's analysis dissatisfying, because he neither applauded nor condemned the events of 1789, but instead tried to analyze how the policies of the absolutist monarchy produced the conditions for a revolutionary upheaval.

While Marxist analysis tried to explain the crisis of the Old Regime in terms of class relationships, Tocqueville focused on the social and political institutions of pre-revolutionary France. And while Marxist theory portrayed the French Revolution as a cataclysm which destroyed an old society and created a new one in its place, Tocqueville emphasized the continuities linking pre-revolutionary and post-revolutionary France. Tocqueville observed a contradiction in the events of 1789: the revolutionary leaders believed that France was making a new beginning; but in fact, the Revolution continued a century-long process of administrative centralization begun during the reign of Louis XIV.

In order to increase tax revenues and consolidate control over the realm, wrote Tocqueville, the monarchs of the late seventeenth and eighteenth centuries increasingly removed judicial and administrative power from the provincial nobility and traditional ruling elites, instead placing it in the hands of agents who answered directly to the king. But even as the monarchy stripped traditional elites of their power to rule, he observed, it accentuated social divisions in France by selling offices and legal privileges in order to raise money to finance the state debt. French society in the late eighteenth century, Tocqueville wrote, was simultaneously the country in which "men were most like each other" and a nation "split up more than ever before into small, isolated, self-regarding groups."[10] A unified country, because a central state apparatus had wrested power from a hodgepodge of local privileged bodies; a divided one, because the privileged bodies had persisted, and in fact grown, even though they no longer served an important role in governing France. In abolishing privilege, Tocqueville

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argued, the French Revolution swept away a highly visible but increasingly useless appendage of the Old Regime. In further centralizing administrative power in the hands of the national government, the Revolution continued in the tradition of the absolute monarchs.[11]

Three essays in *The Political Culture of the Old Regime,* by David Bien, Gail Bossenga, and Hilton Root, focus on the social institutions of pre-revolutionary France. All three bear the clear stamp of Tocqueville's influence. These essays confirm that one of the key sources of political instability in pre-revolutionary France lay in the contradictory character of the absolute monarchy. By simultaneously undermining and expanding the system of privilege, the monarchy made the principle of legal privilege increasingly intolerable. But all three authors question Tocqueville's contention that the absolute monarchy deprived local institutions of political power. Rather, they argue, privileged bodies played an important role in the birth of democratic politics in France.

David Bien's essay "Offices, *Corps,* and a System of State Credit: The Uses of Privilege under the Ancien Régime" describes the efforts of the debt-ridden monarchy to raise funds through the sale of public offices. Some public offices carried official responsibilities; all provided a financial return, in the form of direct revenues or tax exemptions. The desire for social prestige, however, was perhaps the most powerful motivation for purchasing offices, and studies have shown that demand for offices remained strong well into the 1780s.

Following Tocqueville, Bien notes that the expansion of the royal administration over the course of the eighteenth century made privileged bodies increasingly unimportant in governing the realm—and yet the system of "feudal" privileges was strengthened during this period. The key to this riddle, Bien shows, is that the sale of public offices provided the state with a quick and efficient means of raising funds. In the eighteenth century, the French monarchy accumulated a substantial debt in a series of unsuccessful wars. By 1789, debt charges took close to 70 percent of all tax revenues, making it both increasingly necessary and increasingly difficult for the state to borrow additional money. In times of financial crisis, therefore, the government often sought funds either by selling new offices, which carried new privileges and tax exemptions, or by forcing the owners of existing offices to make an additional payment. But a demand for additional payment required the monarchy to engage in an elaborate process of negotiation. The government had to state its demand to the association, or *corps,* of holders of particular offices, and the members of the

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corps would vote on whether to agree to the demand. Within the privileged *corps,* each member was considered equal, and the opinion of the majority bound the others. Thus, Bien notes, while the fiscal practices of the absolute monarchy entrenched the system of legal privilege, government borrowing also led to the development of democratic political procedures within the privileged bodies.

Hilton Root's article complements Bien's analysis with a look at the French peasant communities. Root supports Tocqueville's view that administrative centralization deprived the provincial aristocracy of its governing role; but he contends that in order to curtail the power of the aristocracy, the monarchy needed to encourage the growth of strong village assemblies. The eighteenth-century monarchs did not simply concentrate administrative power at the center, as Tocqueville had argued; rather they attempted to transfer certain responsibilities from the aristocracy to the peasant communities. The nobility continued to collect feudal dues but now had little public responsibility; the village assemblies, on the other hand, played a growing role in tax collection and local administration.

By increasing the responsibilities of the village assemblies, the monarchy unintentionally trained the peasantry for political activism—just as the privileged *corps* schooled their members in the practices of democracy. "By integrating the village assemblies into the state's political structure," argues Root, "the crown had aroused among the peasants expectations of better government that it did not, and could not, satisfy" (151). A politically active peasantry began to consider the system of feudal privileges unjust; and in the summer of 1789 French peasants attacked aristocratic claims in a wave of violent uprisings throughout the provinces.

Root provides a persuasive account of the development of a tradition of political activism among the French peasantry; but he provides no convincing explanation of why the peasants took the political stands that they did. 1789 was a famine year like many before it. Why did so many peasants suddenly feel so oppressed by the system of legal privilege as to call for the wholesale destruction of the French nobility? Root does not directly address this problem; but a possible approach to it is suggested by Gail Bossenga's article on the municipal revolutions of 1789.

Bossenga begins her article by noting that urban unrest was nothing new in eighteenth-century France. Riots were frequent in periods of hunger and high unemployment. But in the uprisings which initiated the French Revolution, unlike previous revolts, "the legitimacy of

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urban governments themselves was also called into question" (115). What made 1789 special? For Bossenga, as for Bien and Root, the demand for political participation was a key factor in the origins of the French Revolution.

Like Bien and Root, Bossenga depicts the French monarchy as "absolute" only in theory. In practice, she writes, the royal government relied heavily on town councils for help in tax collection and local administration. The members of the town councils, in turn, came from privileged sectors of the local elites. But "elite" did not always mean "aristocratic." In some parts of France, the town councils consisted primarily of nobles and bourgeois property owners; in others, merchants and bankers predominated. What shaped the political struggles in the towns, Bossenga argues, was not the particular composition of the local ruling body, but the total exclusion of other social groups from power. The monarchy developed "strategic alliances" (130) with the local ruling elites in order to maintain control over provincial cities, to the detriment of the rest of the population. Urban unrest did not simply reflect bourgeois resentment of the aristocracy; "rather, conflict arose because the monarchy failed to provide avenues of political participation to groups within the elite, both nobles and non-nobles . . ." (130).

As the monarchy expanded the sale of offices in the eighteenth century in order to finance the royal debt, writes Bossenga, "privilege increasingly resembled an article of commerce, rather than a foundation of the social order" (131). Likewise, by participating in alliances with local ruling groups, the monarchy lost credibility as "the mediator between urban corporate groups" (131). The monarchy's manipulative use of privilege alienated so much of French society that those groups excluded from power—nobles as well as bourgeois—formed "a broad coalition . . . opposing a closed system of power and inequitable or arbitrarily enforced taxation." The monarchy appeared so corrupt that excluded groups began calling on "the court of public opinion" rather than the king as the ultimate authority; the system of privilege seemed so unfair that they began to demand its destruction. Ultimately, a discredited royal government found that it "could only hope to regain its sense of legitimacy by espousing the principles of uniformity and equity" (131). The abolition of legal privilege in France, Bossenga shows, resulted not only from resentment of privilege by the unprivileged population, but also from struggles for power *between* the various privileged elites.

The new Tocquevillean social history is very different from the so-

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cial history of previous decades, which was governed by Marxist assumptions. This recent social history supports Tocqueville's contention that the contradictory policies of the absolute monarchy helped produce the political crisis of 1789; but it also suggests that local ruling groups played a far more active role in shaping the new political culture than Tocqueville believed.

The Role of the Enlightenment

If recent studies of eighteenth-century France add a political dimension to social history, new research on the Enlightenment is focusing on the social function of philosophy in the Old Regime. Gone is the old argument that Rousseau "caused" the French Revolution. Recent work on eighteenth-century literary life focuses less on the "pure" history of ideas than on the changing role of intellectuals in a society approaching political and cultural crisis. The essays on the Enlightenment in *The Political Culture of the Old Regime* document the growing importance of intellectuals in eighteenth-century France, but they also show how literary life expressed the contradictions of pre-revolutionary society.

Robert Darnton's article "The Facts of Literary Life in Eighteenth-Century France" provides a sociological analysis which attempts to demonstrate the growing importance of intellectuals in the years before the Revolution. Relying on entries from a French literary almanac called *La France littéraire,* Darnton suggests that the number of French writers more than doubled between 1757 and 1784; he also provides statistics about the age, sex, and social class of the literary population. Darnton supplements this sociological data with an argument about the role of literature in politics. Public life in eighteenth-century France became more "literary," Darnton claims: political battles began to be understood in terms of literary themes. In the Revolution, this tendency reached its ultimate development. It was writers who took on the task of making "sense of things when things fell apart in 1789" (288), Darnton maintains: they reeducated the public for life in a new society.

It is clear that the Revolution produced an explosion of literary life. To cite a statistic provided in Jeremy Popkin's stimulating article on "The Pre-revolutionary Origins of Political Journalism," the number of newspapers published in Paris went from four in 1788 to 184 by the end of the following year. But as Popkin notes, "things" had already

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begun to "fall apart" long before the outbreak of the Revolution. He concludes his article by observing that "the politics of the French monarchy had already taken on some of the central characteristics of revolutionary politics" (220). Politics had ceased to be a "ceremony" centered around the king, increasingly appearing as a contest of opposing forces played before the court of public opinion.

But it was not only opponents of the monarchy who attempted to use philosophy as a weapon. Faced with increasingly uncontrollable political debate, the monarchy tried to mobilize enlightened discourse for its own defense. Two articles in the volume, by Jean Starobinski and Daniel Roche, focus more precisely than Darnton on the ambiguous social role of intellectual debate in the Old Regime. Starobinski's article considers the theme of political eloquence in discourses given in the royally chartered *Académie française*. These discourses contrasted an "ancient" form of eloquence practiced by political orators in Athens and Rome with a new form appropriate for modern men of letters. Ancient eloquence was associated with the direct exercise of political will by "the assembled people" (317); modern eloquence promoted the rule of reason by an enlightened monarchy. Men of letters would "safeguard the language" in an increasingly fractious political environment; they would work in the spirit of "public utility and civic responsibility" (322). By promoting the development of the moral sciences, intellectuals would lead a "slow march for social utility and the common good" (320).

While Starobinski discusses the way in which members of the *Académie française* conceptualized the purpose of their work, Roche focuses on the contradictions inherent in the role of the academician. The French academies were elite, privileged bodies sponsored by the monarchy and existing within the corporate structure of the Old Regime. But the activities of the academies undermined the traditional social order which supported them. By sponsoring prize essay competitions, the academies created the image of a literary world open to anyone with talent. The proceedings of the academies were governed according to the principles of liberty and the equality of all members. Roche observes: "In defining a reconciliatory and utilitarian model of culture, in opening an enclave of relative liberties and equality in the social fabric . . . the Parisian and provincial academies contributed a new mentality to the constitution, one propitious for political action" (342). The academies represented simultaneously the principles of equal opportunity and of social hierarchy: the reform impulse they promoted undermined the legitimacy of the social order to which they belonged.

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The Birth of Public Politics

The articles described above attempt to merge social history with the history of ideas. While the essays by Bien, Root, and Bossenga focus on the social institutions of the Old Regime, all three authors link these institutions to the development of democratic politics. For example, Bien points out that the privileged *corps* employed majority rule in deliberating over royal fiscal demands; Bossenga argues that antagonism toward legal privilege grew out of power struggles between municipal elites. Conversely, while Darnton, Starobinski, and Roche discuss eighteenth-century intellectual life, all of them attempt to situate philosophy in its social context. Roche and Starobinski, for instance, focus less on the ideas of the French academicians than on their public function. By attempting to promote the progress of reason and social utility without sacrificing their own privileged status, members of the academies expressed the contradiction of a royal government which sought to rule both by right of tradition and by natural law. In these articles, an impression emerges of a monarchy courting disaster: The royal administration expanded the system of privilege while undermining its social function; it insisted on the king's exclusive right to rule the nation while promoting the growth of independent political bodies. In 1789 the revolutionaries proclaimed the death of the old order and the birth of a new one. The force of this political eruption was largely due to the clarity with which the monarchy itself had expressed the contradiction between old and new principles of government.

Studies of the social institutions of the Old Regime go far toward explaining the breakdown of the absolute monarchy; but the shape of the revolution that followed cannot be understood through social history alone. The articles discussed above help explain the Revolution of 1789, but not the Revolution of 1793: the abolition of feudal privileges and the Declaration of the Rights of Man, but not the Jacobin Terror or the beheading of the king. Why did the revolutionaries encounter such difficulty in their attempts to establish a stable system of government in place of the absolute monarchy? Even more important, social history alone cannot account for the extraordinary impact of the French Revolution on modern politics. The principles of "equality," "democracy," and "the Rights of Man" have displayed a protean vitality, inspiring two centuries of revolutionaries and framers of constitutions around the world. Studies of the social institutions of the Old Regime suggest reasons for the appeal of these ideals in eighteenth-

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century France, but how do we explain their attraction in societies far removed?

Marxist historiography and the new social history share a basic assumption about revolutionary politics: that the political events of the French Revolution were symptoms of other developments. For Marx, the revolutionary explosion stemmed from the economic ascendance of the bourgeoisie; recent social history seeks the key in the institutional contradictions of the Old Regime. Yet the power of revolutionary politics eludes a purely social explanation. Tocqueville expressed frustration over his own inability to understand this power, remarking that the Revolution had unleashed on the world a "*virus* of a new and unknown kind." In a letter written near the end of his life, he observed: "Independently of all that can be explained about the French Revolution, there is something unexplained in its spirit and in its acts. I can sense the presence of this unknown object, but despite all my efforts I cannot lift the veil that covers it. I can palpate it as through a foreign body that prevents me from grasping it or even seeing it."[12]

In an attempt to pierce the veil that obscured Tocqueville's vision, some French historians have begun to question a guiding assumption of much historical scholarship published in this century: that political strife stems from fundamental conflicts of an economic or social nature. These historians do not doubt that social conflicts play a key role in political events, but they recognize that revolutionary politics produced consequences that far outreached any immediate social causes. Rather than portraying political events as reflections of other social processes, they make political contestation itself the central focus of study. By portraying politics as an autonomous realm of human action, they seek to explain the new patterns of political activity created in the French Revolution.

Physiocrats, Jansenists, and Monarchical Democrats

The essays on revolutionary politics in *The Political Culture of the Ancien Régime* can be divided into two groups. The first group, including essays by Jacques Revel, Dale Van Kley, Ran Halévi, and François Furet, describe a series of political conflicts in France between 1750 and 1789. These essays focus primarily on the new dynamic of political contestation that developed in the last decades of the Old Regime; only secondarily do they discuss the genesis of some political ideas associated with the Revolution. In the second group, including essays by

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Mona Ozouf, Lynn Hunt, Marina Valensise, and Bronislaw Baczko, the priorities are reversed. While these articles refer to various political disputes of 1788–1789, their primary goal is to trace the evolution of certain key revolutionary concepts, such as "representation," "sovereignty," and "public opinion." Taken together, these two groups of articles provide a fascinating account of the birth of a new political culture.

Jacques Revel's article discusses a political episode of 1776 which heightened the conflict between old and new conceptions of social organization: the attempt by Louis XVI's enlightened minister Turgot to abolish the guilds of France. An adherent of the liberal economic doctrines of the physiocrats, Turgot served as Controller General for only two years before being forced out by the violent protests engendered by his actions. The physiocrats promoted a "philosophical" critique of the organization of trades through corporate bodies. Society, they argued, was founded not on traditional hierarchies and "corporations" such as guilds, but on "the natural order" (230). By establishing "the general liberty of commerce and industry," they claimed, France would achieve a "return to natural law" (232). Turgot intended his edict of February 1776, which abolished the guilds, to further the cause of "liberty" in France. But the members of the guilds and their masters saw matters differently. In their eyes, writes Revel, "the new 'liberty' of work meant inequality, that is to say, anarchy in the most day-to-day relations . . . (234). Defenders of the guilds called for a "real liberty" which existed "only under the authority of the laws" (236), as opposed to the abstract liberty proclaimed by Turgot.

By August 1776, Turgot had been dismissed, the guilds reestablished. But this apparent reaffirmation of tradition obscured fundamental changes. For one thing, the guilds had been restored only in a rationalized, newly-regulated form. Furthermore, writes Revel, "a growing politicization" occurred among leaders of the guilds beginning in 1776. They began to address their praise and their complaints more to the king's ministers than to the king himself; they mimicked the political rhetoric of the French *parlements*, which referred to the primacy of the "desires of the nation" and the "public good"; they developed techniques for mobilizing public opinion. The actual political conflicts in which the guilds participated between 1776 and 1789, writes Revel, were "limited, local, sometimes miniscule." But ultimately, he claims, these conflicts produced a "decisive transformation: one which gave work a political value and a political stake" (241).

Dale Van Kley's remarkable article on "The Jansenist Constitutional

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Legacy in the French Pre-Revolution" focuses on an extended religious controversy, not on the world of work. But Van Kley discusses some of the same themes as Revel: the penetration of politics by language drawn from other fields, and the development of new patterns of political contestation in the last decades of the Old Regime. Revel writes of the application of economic notions of "liberty" in political disputes; Van Kley focuses on the religious vocabulary of the dissenting Catholic sect known as Jansenism. Beginning in the 1750s, Van Kley writes, disputes between the Jansenists and the church establishment spilled over into political channels, embroiling the monarchy in a protracted series of controversies and transforming the language of French politics in the process.

Founded in the early seventeenth century, Jansenism was a sort of "Calvinist Catholicism" which called for purification of the church in France. By the 1750s, many of the thirteen French *parlements* (provincial courts which performed both judicial and political functions) contained sizeable contingents of Jansenists. When the church establishment began an assault on Jansenism in 1749 by refusing sacraments to adherents of the "heretical" sect, the Jansenist factions in the *parlements* leapt to the counterattack. In this battle between religious and judicial authorities, the royal administration found itself caught in the middle. When the monarchy defended the church establishment's authority over theological matters, the *parlements* stridently defended their right to intervene—and in the process called into question some fundamental premises of absolutist rule.

In stocking their ideological arsenal for their arguments with the king, the parlementary magistrates drew on Jansenist religious doctrines. For example, Jansenism was deeply concerned with questions of the nature of legitimate authority and the limits of obedience. According to the theory of absolute monarchy, the king's subjects owed him unconditional obedience—but the parlementary protests began to proclaim that a king who disregarded the "fundamental laws of the realm" was "arbitrary" and "despotic." Jansenist doctrine provided a justification for denying that sovereignty resided solely in the king. Jansenism held that both ecclesiastical and political communities retained sole possession of their sovereignty, delegating its "usage" to their "ministers" (177). In the disputes of the 1750s and 1760s, Jansenists in the French *parlements* began to proclaim that kings were "dependent upon their subjects" and that "supreme authority" lay in the "corps of the nation" (170).

The use of this theological language in political disputes had two

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fundamental consequences. First, it justified the creation of a new style of politics. If the nation was sovereign, then politics need not be a "secret" which revolved around the king, as the theory of absolute monarchy held. Rather it should be a public process which attempted to ascertain the desires of the nation. Beginning in the 1750s, increasing publicity surrounded political controversies as the monarchy and the parlementary opposition each competed to win public opinion to its side. Second, Van Kley notes, the religious vocabulary of Jansenism entered into the "revolutionary synthesis effected in late 1788 and early 1789." He cites Jansenism's "profoundly persecutory fear of 'despotism' and 'domination' . . . its conception of legislation as quasi-judicial 'testimony' to 'truth' . . . its insistence upon the ideally unanimous character of this legislative witness and its consequently paradoxical tendency both to speak in the name of minorities and anathematize dissent" (196–97). The injection of this religious fervor into the "revolutionary maelstrom" (197), Van Kley argues, may have intensified the passion of the revolutionaries and made a resolution of the political conflicts aroused in the Revolution more difficult to attain.

Van Kley suggests that in late 1788 and early 1789, a kind of "Hegelian synthesis" took place "between the parlementary thesis of national sovereignty and the ministerial antithesis of the ahistorical nation as Third Estate" (196). This "ministerial antithesis" is discussed in the articles by Ran Halévi and François Furet, both of which examine the national elections of delegates to the Estates General in 1789.

In May and June of 1789, an impasse occurred in the Estates General between the representatives of the Third Estate and the delegates in the other two chambers over the procedure for counting votes. The delegates from the Third Estate, who were equal in number to those of the clergy and the nobility combined, favored a vote by head; the representatives of the other two estates preferred a separate vote by each chamber in the traditional manner. Unable to win the point by persuasion, the representatives of the Third Estate simply declared themselves the "National Assembly"—an event commonly identified as the beginning of the French Revolution. Furet and Halévi, in exploring the events that preceded this first revolutionary declaration, both conclude that the monarchy structured the terms of its own demise.

The Estates General were a traditional representative body which had assembled regularly in the late Middle Ages. But by 1789, the Estates General had not met for 175 years. To assemble the Estates purely

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according to traditional forms in 1789 was not possible, because no one knew any longer the precise procedure followed in 1614; nor did it seem appropriate in the Age of Enlightenment to govern by precedent alone. Consequently, Furet notes, the monarchy attempted to combine "the spirit of tradition and the spirit of geometry" (385) in writing its order assembling the Estates General—ultimately producing an "extraordinary mix of the aristocratic and the democratic" (381). For example, the monarchy accepted the principle that the number of representatives of a given district should be proportional to the population represented, and it decreed that the representatives of the Third Estate should be elected by universal male suffrage. Moreover, because the Third Estate comprised the vast majority of the French population, the monarchy decreed that it should have as many delegates as the other two estates combined.

But having conceded the validity of democratic principles, the monarchy denied them any practical effect. Under its order, the three chambers would vote separately, making the number of delegates in any one chamber irrelevant. The monarchy's electoral order, Furet notes, expressed in pure form the conflict between aristocratic and democratic pinciples of government. It guaranteed that the conflict between these two principles would dominate the proceedings of the Estates General; and it foreordained that the nobility would become the "scapegoat" (385) of democracy's triumph. Ran Halévi, whose article also discusses the contradictions in the elections of 1789, observes: "In effect, the monarchy perished in 1789 by its own innovations. In sanctioning of its own free will the principles that laid the foundation for modern representation, it marked out the path for the triumph of the Third Estate. It fixed the terms of this victory, as it were, and prescribed the methods, before becoming the first victim" (389).

The Contradictions of Democracy

In a fundamental sense, both Furet and Halévi argue, the French monarchy fell victim to a principle in 1789—the principle of democracy. But neither author makes any claim of a new "world spirit" afoot in revolutionary France. The principle of democracy possessed no intrinsic power; nor did it derive its force from a mystical dialectic. The principle of democracy was powerful in 1789 simply because it was widely accepted. Because the king accepted the principle of democracy, he decreed some democratic elements in the electoral order con-

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vening the Estates General. Because representatives of the Third Estate accepted this principle, they fought boldly to achieve democracy's triumph. Because the nobles accepted the principle of democracy, they were unable to mount an effective defense of their own privileges.

Why did all of these groups believe in democracy? The articles on the social history of the Old Regime discussed earlier in this essay provide some partial answers. But we need not fully know the *causes* of this belief to understand its *effects*. The final group of essays I will discuss here focus more on the consequences of the new political principles than on the reasons for their development. These essays do not completely explain why "public opinion" took on vital importance in the late eighteenth century, or precisely what produced a rethinking of the concepts of "constitution" or "the social contract." But they observe that these shifts did occur, and that they resulted in significant changes in the political process. They attempt to show how conceptual transformations shaped the development of new patterns of political conflict.

Mona Ozouf's article discusses the rapid evolution of the concept "public opinion" in the second half of the eighteenth century. Before 1750 this notion was hardly ever mentioned; but by the end of the Old Regime the "tribunal of public opinion" was widely identified as the supreme source of political authority in the nation. Even the king's staunchest supporters, Ozouf notes, had begun to justify royal power by claiming that it expressed "the public conscience" (424).

How did public opinion come to assume such central importance in Old Regime politics? Ozouf answers this question only obliquely, touching on points raised in the essays by Roche and Van Kley. "In order for public opinion to appear as supreme authority," she observes, "the world had to be vacated of other inherited authorities" (424). This clearing process occurred, she writes, partly through the efforts of men of letters who attacked traditional social hierarchies in favor of the principle of equality, and partly as a result of battles between the *parlements* and the crown. Faced with the *parlements'* success in mobilizing popular support through publicity campaigns, the monarchy began conducting its own counter-publicity efforts. As a result of this series of controversies, writes Ozouf, the "public voice" began to supplant the "voice of God" as the supreme arbiter of political action (424–25).

Ozouf's main concern is not with the question of why public opinion became important at the end of the Old Regime, but with how this development affected the conduct of politics in France. The idea of public opinion was new, but it was employed in conjunction with tra-

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ditional assumptions about the nature of the political process. According to the theory of absolute monarchy, political authority over the realm was unified in the person of the king. Public opinion, in turn, came to be thought of as the unified, harmonious expression of the desires of the nation. Public opinion was considered "an impersonal and anonymous tribunal"; it was "the voice of all, and therefore the voice of no one" (425).

But if this ideal "opinion" was unified and harmonious, the opinions that really existed in society were fractured, conflicting, chaotic. Hence, Ozouf writes, the belief in public opinion as ultimate political authority became the source of both "a profound accord and a profound confusion." While everyone agreed on the principle of public opinion, it proved impossible to arrive at any practical consensus over the meaning of this term. Ozouf suggests that there were two possible ways of attempting to reconcile individual and public opinion. The first was the "modern" conception, which "develops to their ultimate consequences the individualistic and egalitarian premises of public opinion" (430). This conception establishes the "preeminence of the social over the political," Ozouf writes, because it roots public opinion "in the liberty of the subjects." But a second approach to reconciling the opinion of individuals with "public opinion" was also possible, and this was the approach followed in the most radical stages of the Revolution. This second conception asserted "the primacy of the political over the social"; it promoted coercive policies "under the pretext of the horror of factions, and in the dream of a perfect unity of the community and its guides, of a complete absorption of individuals in citizenship" (431). Ozouf closes her article with an observation from the philosopher Benjamin Constant: "Uniformity never met with more favor than in a revolution carried out in the name of the rights and the liberty of man" (432).

Ozouf interprets the Terror of 1793–94 as the disastrous consequence of an attempt to achieve the ideal of a unified, harmonious "public opinion." In pursuing the elusive goal of national unity, she argues, the revolutionary leaders created a reign of violence and oppression. The other articles in this section of the volume touch on some of the same concerns as Ozouf's: the violence and instability of revolutionary politics, and the Revolution's inability to accomplish its ideals. All of these authors argue that the way key political concepts were formulated in 1789 shaped the course of revolutionary events.

Lynn Hunt's article focuses not on a single idea, but on a broad shift in political attitude in the months before the convening of the Estates General. Hunt argues that the declaration of 17 June 1789, in which

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the deputies of the Third Estate voted to call themselves the "National Assembly," represented not the beginning of the Revolution but "the culmination of an already ongoing revolutionary process" (404). In Hunt's view, a "fundamental transformation in political *mentalité*" (409) in France had occurred already the previous year—during the six months of "pamphlet wars" following the king's order of July 1788 summoning the Estates General. During this protracted controversy over the proper forms for convening the Estates, Hunt argues, historical precedent became less and less convincing as a justification for any particular action, and the notion of creating a fundamentally new political order became increasingly plausible: "As all past 'constitutions' turned to dust in the heat of debate, the way was cleared for the most radical of notions—breaking entirely with the past." The recognition of the possibility of starting society anew, Hunt suggests, was the decisive moment of the Revolution. The "revolutionary form of political language was established" (413). While the "content" of that language would change as the Revolution progressed, the shape of the rhetoric—which juxtaposed an old corrupt order with a call to begin again—would always remain the same.

Hunt makes an important point in identifying the "transformation in political *mentalité*" that occurred in 1788, but her broad characterization of "the form of revolutionary language" is unsatisfying—especially in light of several superb articles in the volume on particular aspects of the language of revolution. For example, Keith Baker describes the development of the concept of "representation" from the theorists of absolute monarchy through the constitutional debates of 1789; and Bronislaw Baczko's article, "The Social Contract of the French: Sieyès and Rousseau," discusses the Revolution's transformation of Rousseau's ambiguous legacy. Pierre Rosanvallon discusses "French Utilitarianism and the Ambiguities of Prerevolutionary Political Culture"; and Lucien Jaume writes on shifts in the meaning of the concepts "citizenship" and "sovereignty" at the beginning of the French Revolution.

I will skip over most of these articles here, but I would like briefly to illustrate these authors' approach by touching on Marina Valensise's article on "The French Constitution." Valensise discusses the development of the idea of the constitution at the end of the Old Regime, suggesting an explanation of why "all past constitutions turned to dust" so easily in the fall of 1788. She concurs with Hunt that the idea of a radical rupture with the past first emerged during this period; but her article also tells a subtle story of the prehistory of this idea.

Valensise traces the semantic development of the word "constitu-

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tion" over the course of the eighteenth century, arguing that by the end of the Old Regime two competing understandings of this idea had emerged. One was historical, identifying the constitution with the "ancient forms of the monarchy" (448). The other point of view held that a "decomposition" (458) of the historical constitution had occurred, and that a new constitution needed to be created according to laws of reason. Adherents of the latter view argued that the absolute monarchs had so badly undermined the ancient constitution through their disregard of the laws that in effect France no longer had a constitution. But this second understanding of the nature of the constitution, Valensise notes, implied an entirely new conception of the political process. The forms of government were no longer something inherited, but something to be *created* by the "constitutive power" (458) of the nation. The events of 1788 moved this debate from the realm of abstraction to the field of practical politics. The following spring in the Estates General, the representatives of the Third Estate called for the "regeneration of the State" through the establishment of a new constitution.

In this transformation of the idea of "constitution," Valensise observes, something extraordinary had happened. People in France had begun to recognize the creative possibilities of political action. Rather than living by tradition, they sensed a chance of building something new. Of course, what the revolutionaries ended up creating was not what they intended or desired. The legacy of the Revolution will be discussed more fully in the remaining two volumes of the series, but in this first volume Bronislaw Baczko's essay on "The Social Contract of the French" contains a striking description of the difficulties the revolutionaries encountered in their efforts to "found the modern nation state" (511). In attempting to establish a democratic government by social contract, Baczko notes, the revolutionaries took on a project that Rousseau had declared impossible for a country as large as France. The system of representative government they fashioned was both unfaithful to Rousseau (who denounced the idea of representation) and highly unstable, because unanimous expressions of the "general will" proved impossible to obtain.

While the revolutionaries did not create what they intended, they did create something fundamentally new, and something which has greatly influenced the course of modern politics. Recent scholarship on the French Revolution, which is well represented in *The Political Culture of the Old Regime,* shows a new appreciation of the creative nature of political action. The essays in this volume recognize that the crisis of the Old Regime stemmed in large part from growing social

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tensions in eighteenth-century France. But they also demonstrate the importance of integrating social history with the study of politics and ideas. New ideas, as these articles show, helped produce the social crisis of 1789; and ideas also played a decisive role in shaping the political order that followed.

NOTES

1. Five of the most interesting articles in French—those by François Furet, Ran Halévi, Mona Ozouf, Marina Valensise, and Bronislaw Bazcko—will appear in English versions in a special issue of the *Journal of Modern History* to be published in the summer of 1988.
2. The classic twentieth-century statement of the Marxist theory of the French Revolution, which presents a much more subtle argument than the one summarized above, is Georges Lefebvre's *The Coming of the French Revolution,* trans. R. R. Palmer (Princeton: Princeton University Press, 1947).
3. For a concise summary of the historical controversies surrounding the French Revolution in the last fifty years, see William Doyle, *Origins of the French Revolution* (Oxford: Oxford University Press, 1980), 7–40.
4. Alfred Cobban, *The Myth of the French Revolution* (London: H. K. Lewis, 1955), reprinted in *Aspects of the French Revolution* (New York: G. Braziller, 1968), 90–111.
5. Cobban, *The Social Interpretation of the French Revolution* (Cambridge: Cambridge University Press, 1964), 172.
6. *Ibid.,* 172–173.
7. George V. Taylor, "Types of Capitalism in Eighteenth-Century France," *English Historical Review* 79 (1964): 478–97; "Noncapitalist Wealth and the Origins of the French Revolution," *American Historical Review* 72 (1967): 469–96.
8. See Robert Forster, "The Provincial Noble: A Reappraisal," *American Historical Review* 68 (1962–63): 681–91.
9. Betty Behrens, "Nobles, Privileges, and Taxes in France at the End of the Ancien Régime," *Economic History Review* 15 (1962–63): 451–75.
10. Alexis de Tocqueville, *The Old Régime and the French Revolution,* trans. Stuart Gilbert (Garden City: Doubleday & Co., 1955), 77,81.
11. For the best brief description of Tocqueville's analysis of the French Revolution, see François Furet, *Interpreting the French Revolution,* trans. Elborg Forster (Cambridge: Cambridge University Press, 1981), 14–23, 132–63.
12. Tocqueville, letter to Louis de Kergolay (16 May 1858), quoted in Furet, 163.

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Gordon Tullock

IN PRAISE OF VIRTUE

MAKING PUBLIC POLICY: A HOPEFUL VIEW OF AMERICAN GOVERNMENT

by Steven Kelman

New York: Basic Books, 1987. 332 pp., $19.95

Kelman subtitles his book "A Hopeful View of American Government," and hopeful is certainly the right term. Alan T. Peacock, chief economic advisor to both Conservative and Labor governments in England, summarizing his "conversion" from a similar hopeful attitude recently said, "We are sadder and wiser men for not having realized that the types of government intervention commonly advocated rested on totally implausible assumptions. It was believed that those vested with governmental authority would acquire superior knowledge of future economic events and of the intricacies of economic life and that politicians and administrators were endowed with superior wisdom and integrity which transcended that of ordinary beings."[1] Kelman is not yet sadder and wiser, perhaps because of his somewhat more limited experience.

The Polyanna approach of the book is best shown in two things that are *not* there. One would think that any evaluation of the virtue and efficiency of American government would involve at least some criticism of its role in the Vietnam War. People on the right offer different criticisms than those on the left, but everyone criticizes. As a matter of fact, there is no direct reference to the Vietnam War at all in Kelman's index, but "Vietnam protesters" does appear. The entire entry on the subject is:

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> In the late 1960s, student protesters against the war in Vietnam regarded themselves as powerless outcasts unable to influence the Establishment. At the same time, we now know from histories of the Nixon presidency, the president of the United States was obsessed by the danger the protesters posed to his ability to conduct foreign policy. (36)

Note that this is not, even strictly speaking, a criticism of government policy in Vietnam. There are a couple of other places in the book where Vietnam receives a mention, but I believe the indexer was correct in regarding them as too trivial to bother with. Thus, in his plea for the government, Kelman deals with its most conspicuous recent failure by ignoring it.

Another area where one feels certain that Mr. Kelman has strong feelings and the American government could readily be criticized is Watergate. Again, there is no such entry his index. The "Saturday Night Massacre," however, is there, turning up in a discussion of the difficulty of firing political appointees. What Kelman has to say is:

> The dismissed appointee may leave the job claiming to have been the victim of devotion to the public interest, unwilling to cave in to some nefarious special interest the president sought to heed. An extreme example of these difficulties was the reaction to the "Saturday Night Massacre" when President Nixon dismissed the attorney general for refusing to fire the Watergate special prosecutor. Generally, the threat of resignation by a high political appointee gives him leverage against the president, more than the other way around. (102)

Once again, there are a couple of other references to Watergate scattered through the book that the indexer was right to omit. There is, significantly, no discussion, defense or criticism.

Why have I brought up these two examples of—to put it mildly—extremely tolerant treatment of what I am sure Kelman thinks are fairly dastardly acts? The answer is simple. Kelman alleges that the American government behaves on the whole in a highly moral and correct way. He also argues very insistently for more government activity, on the grounds that it will develop "public spirit." Indeed, public spirit is the animating theme of the book. Kelman argues that public spirit is important and should be more important, and he seems to think that talking about public spirit is a way to make it so. He almost never finds that any government official is motivated by anything other than public spirit. Given this omnipresent theme—and given

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Kelman's probable political position—Watergate and Vietnam are things which have to be ignored, and so they are.

Government by the Book

Making Public Policy starts out, and to a large extent continues, sounding like a standard high school civics textbook, albeit one that is much, much more cheerful than most. It differs from the standard civics text in one rather important way, however. It is devoted to the federal government only. State and local governments practically never appear.

This is particularly impressive because of the role of public spirit in Kelman's thinking. Most people who have been interested in public spirit, democratic virtue, and the like, have put great emphasis on local governments. Indeed, the higher officials of local governments who are either unpaid or only paid a trivial amount are outstanding examples of individuals who are willing to devote themselves to what they conceive to be the public good. Kelman, however, completely ignores them—although they are much more subject to direct popular control.

Aside from this omission, the book is a fairly straightforward, very optimistic description of how American government works. In the first two-thirds of it, Kelman simply goes through the government stage by stage with chapters on Congress, the presidency, the Supreme Court, "The Bureaucracy," "Production: A Framework of Analysis," and then another chapter on the civil service.

The "Bureaucracy" chapter is to a large extent devoted to describing in rosy terms the policy-making role of the bureaucracy. The chapter on the civil service is, however, much more pessimistic—due to the fact that Kelman has actually worked in this branch of government. Career goals, bureaucratic squabbles, and other untidy matters Kelman has actually experienced put in sudden appearances, making for a rather reformist chapter. The other parts of the book (with the exception of continuously urging more public spirit) tend to take the view that we are living in the best of all possible worlds. Even in dealing with the civil service, however, it is clear that Kelman does not think the problems are serious, and the solution is, of course, more public spirit.

The last third of the book, entitled "How *Well* Does the Policy-Making Process Work?" (italics Kelman's) tells a different story. Al-

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though the tone remains rather cheerful, Kelman must conclude with a plea for tolerance of the government's mistakes. The final chapter is called "The Only Government We've Got." The last two sentences read: "Similarly, imperfections in the policy-making process may be the price we must pay to get the benefits, visible and otherwise, we obtain from government. This is the only government we've got" (296).

Thus, when Kelman actually begins evaluating the government's performance, he is much less optimistic than when he is simply describing how it is supposed to function in the earlier part of the book. Nevertheless, in spite of his final plea for tolerance of government imperfections, he does not find very many imperfections outside the civil service.

Kelman's argument, then, is in no respect revolutionary. One may legitimately wonder, then, why all the excitement about the book, including an endorsement from Michael Dukakis? This can be best explained by quoting the blurb from Robert B. Reich on the dust jacket: "Steven Kelman offers us a compelling, positive vision of American government—what it is and what it can be. In this era of stifling cynicism about public purpose, this book comes as a fresh breeze."[2]

Kelman vs. Madison

The attention Kelman's book has received reflects the crisis in modern political attitudes—particularly a crisis on the political left and in what we might call the ordinary intellectual's approach to politics. Most of us have been taught in high school and from reading the older political science a view of government which is essentially optimistic and idealistic. In recent years, however, our experience with government has made this idealism seem positively utopian. This disillusionment is, Kelman's admirers hope, to be dispelled by perorations on the fine intentions of those in public service.

There are, of course, alternative views of politics. My high school civics text was as optimistic as *Making Public Policy,* but it taught what I might call the "Madisonian" view. In this view, we could admire the American government because it was so arranged by a system of checks and balances that even if men were very imperfect and *lacking* in public spirit, it would work reasonably well. This view is the principal enemy of Kelman's work. It is unusual in the modern world to have Madison presented as a villain, but clearly Kelman thinks he

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is. Kelman does not, strictly speaking, throw out the checks-and-balances view, but it is clear that he is firmly in favor of cooperation, not conflict, among the departments of the federal government. What his view is on the state and local governments' roles I cannot say, but I suspect he thinks they should be mere local branches of the federal government.

Kelman believes that one who is proud of the American system of government must be anti-Madisonian, because to admit that the government is composed of imperfect people and must be so designed as to check them is to condemn the American system and the people who run it. Yet Madison did not believe that all people in politics and government were wicked; he simply did not think they were superior to other people. Kelman, by contrast, believes that public spirit is a driving motive among political leaders; therefore, he can only be proud of a government which is designed to execute efficiently their good intentions. Kelman criticizes Madison, I think—and is joined in his criticism by the distinguished group of people on the back cover of his book—because the checks-and-balances view leads to suspicion of government.

A proposal for a new government program will meet with quite a different reception from Madisonians than from Kelmanites. If you start with the view that the authors of the proposal are solely motivated by public spirit, you will be less careful in investigating it than if you suspect they may have some selfish motive. This is particularly true if you think it will be administered by public-spirited bureaucrats rather than selfishly motivated civil servants. Madisonians can be, and frequently are, in favor of new government programs,[3] but their initial enthusiasm is apt to be less than Kelman thinks proper. Although never at great length, Kelman several times discusses the growth of government as a necessary characteristic of modern times rather than being a matter of choice. He is a quiet advocate of big government and "public spirit" is a tool in that advocacy.

Antagonism to Madisonianism runs throughout the book, but there is a formal attack on it entitled "Objection 1: Public Spirit Not Necessary: Madisonianism and Pluralism" (213–22). Here Kelman not only takes on Madison but the modern pluralist followers of Arthur F. Bentley and the Public Choice School of political analysis. He doesn't directly criticize Marxism, but I gather that he disapproves of it. What draws Kelman's fire is, of course, the relatively short shrift these theories give to public spirit.

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Kelman vs. Public Choice

I shall discuss in some detail the area in which I have a particular stake, Public Choice. It should be emphasized that all of Kelman's quotations of Tullock in the book's section on "Self-Interest" are correct and that they are not, strictly speaking, out of context. Kelman does not understand what Public Choice scholars are saying, but he does not deliberately distort their views. He is so bound up in his own frame of reference that he cannot fully appreciate one that is very different.

Consider his treatment of my statement that "voters and customers are essentially the same people. Mr. Smith buys and votes; he is the same man in the supermarket and in the voting booth."[4] A little farther down the page Kelman thinks he detects a contradiction: "The Public Choice economists reach the conclusion that the operation of self-interest in the policy-making process produces bad results rather than the good ones economists see when self-interest holds sway in the marketplace." My comment about the motives of voters is taken as evidence that they will do bad things. Obviously, this is not what I meant or said.

I should perhaps mention the fact that self-interest is not thought by economists to always produce good results in the market, either. An exploitative monopoly is the product of self-interest, and no economist thinks it desirable. There are, of course, economists who argue that in the absence of government intervention such monopolies would be extremely rare. This is, however, not the orthodox view. Most economists are firm supporters of anti-monopoly activity on the part of the government, although I do not imagine there is a single economist in the world who thinks the government has carried out that activity in a perfectly efficient way.

On the other hand, economists who think that most of the time most people are pursuing their own interests—whether in the market or in the government—do not necessarily regard that as a criticism. On the whole I would like to have the sheriff's office of Pima County operate efficiently and economically. The motives for this are both selfish and public-spirited. The selfish motive is that I do not want to be murdered, robbed, assaulted, etc. The public-spirited motive is that I would rather that other people not be murdered, robbed, assaulted, etc. In this case, the two motives do not conflict.

Kelman argues that according to the Public Choice or Madisonian view, it is necessary to establish good constitutions in order to lead

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self-interested people into desirable activity. Yet the establishment of these constitutions could only come out of public-spirited motives, not selfish ones. This, apparently, Kelman takes to be the definitive argument against his opponents.

In the unlikely event that I were called to another meeting in Philadelphia, I would attempt to get a constitution which had some chance of passing, i.e., one that was not too obviously aimed at my personal well-being but which, on the whole, would provide a good set of institutions for me in the future. Since I could only get such provisions through as were also desirable for the bulk of my fellow citizens, purely selfish motives would drive me to support a constitution that would be "public-spirited." If I were public-spirited I might aim at exactly the same constitution. It is Kelman who dichotomizes the two situations by insisting that self-interested motives will necessarily produce bad policy.

The point of view held by Madison and by most Public Choice scholars (and many other people) is quite different. Because people in politics are neither all wicked nor all noble, we need systems of government which will operate successfully even in the hands of ordinary people—the same people who buy things in the supermarket. Is this so implausible? In the latter chapters even Kelman rather gives up and admits that a good deal of private interest will necessarily affect government activity.

As an interesting digression, Kelman's most severe criticism in the section on Public Choice falls on two books which are not, strictly speaking, Public Choice works. According to Kelman, "advocates of these ideas are now assaulting academic political science with the fury and the enthusiasm of Islamic moujahadin swooping down on the infidels. David Mayhew's *Congress: The Electoral Connection*[5] and Morris Fiorina's *Congress: Keystone of the Washington Establishment*[6] are two of the most widely praised and influential political science books of the last decade" (234). Kelman also refers to one of these authors as follows: "Morris Fiorina, letting his imagination run riot in *Congress: Keystone of the Washington Establishment* . . ." (233).

It is perfectly true that these are two of the most widely praised and influential political science books in the last decade, but the intriguing feature of them is that they are not basically Public Choice books. Fiorina is a respected and influential member of the Public Choice Society, but this particular book more accurately should be described as falling within the behaviorist tradition. Mayhew is not a member of

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the Public Choice Society, and his book is purely behavioristic. Both of these books are the result of fairly careful empirical work in Washington and are efforts to understand how Congress actually works.

The particular research techniques used in these books are such that the preconceptions of the authors might well have considerable influence on the outcome. Most readers, however, believe that Fiorina and Mayhew were very careful and did their best to avoid this problem. Kelman, by contrast, never makes any effort at all to remove his preconceptions from his work. Indeed, he does not, strictly speaking, do any empirical research at all.

To return to Kelman, then. On the whole, admittedly, the government will work better if the people involved in it are not unmitigated scoundrels. It would be nice if we could say that there were no unmitigated scoundrels in the government, but I think we can say that at best they are rare. Conversely, very few are followers of the public spirit in a full-hearted and unmitigated way. Most of the people in the government are like most of the rest of the population.

Most of us most of the time do things for motives which are essentially self-interested. Most of us also, however, sometimes engage in genuinely altruistic activity. According to my rough rule of thumb, most people are 95 percent selfish and 5 percent altruistic, but the individual variance is very large.

Good institutional design, whether we are talking about General Motors or the Supreme Court, attempts to arrange things so that individuals' selfish motives lead them to do things which also benefit others. Thus, General Motors engineers will find that their income is positively related to the general efficiency of the cars that they produce. Unfortunately, the relationship is not perfect, partly because efficiency in this case is measured by what people want to buy and the people who buy may be badly informed, and partly because it is just very difficult to arrange a reward system that is perfectly correlated with actual merit.

In government, matters are even more difficult because it is much harder, in general, to tell whether a given government bureau is doing a good job than to tell whether a given division of General Motors is contributing to corporate profits. As a result, we must frequently fall back on a second, weaker device. We try to fix things so that at the very least, the person engaged in some particular activity will have no private motive to oppose the public interest. Thus, judges—and for that matter, almost all government officials now—are legally prohibited from engaging in activities which pose a conflict of interest. It

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is better for a person's selfish motives to coincide with the public good than for him to merely lack a selfish interest in violating the public good, but we may have to settle for the second.

Kelman thinks that this kind of discussion is in and of itself offensive and critical of our institutions. Thus he must argue not only that virtue is desirable, but that it actually dominates the functioning of the government. He deals with self-interested boondoggles such as pork-barrel public works projects by simply ignoring them.

It is true that on occasion he talks about certain special-interest activities. He points out, for example, that special interests opposed the dismantling of the Civil Aeronautics Board and the Interstate Commerce Commission—but that the special interests lost. He does not, however, mention that these government-sponsored cartels, in which fairly small groups of people benefited at the expense of everyone else, were created by and lived long lives at the behest of the same special interests. Inasmuch as public interest was involved in their creation and maintenance, it was misguided. Nor was their termination necessarily an example of public-spiritedness. Actually, the fight to get rid of them consisted mainly of pointing out to the voters that their self-interest was injured by them.[7]

Bodies like the CAB and ICC can come into existence only by fooling most of the people. This is possible because of the information difficulties in the political marketplace, which have been exhaustively studied by Public Choice scholars. Both the creation of the CAB and its eventual dissolution were to a large extent the result of self-interested motives. What changed in the interim was the dissemination of accurate information to the public.

Kelman is an enthusiast for government and for the idea that government is good and could be even better because the people in it are good and could be even better. Public spirit is the *deus ex machina*. Indeed, if its prevalence is granted, there does not seem to be any particular reason why we should impose upon the voters the need to go to the polls every few years. Public-spirited government officials would carry out public-spirited actions and we could all save time and trouble. Madison, of course, thought that voting was necessary in order to control public officials. Kelman does not seem to think they need to be controlled.

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NOTES

1. Alan T. Peacock, "Economic Freedom and Modern Libertarian Thinking," Fulvio Guerrini Lecture (Turin: Centro di ricerca e documentazione "Luigi Einaudi," 1986), 36.
2. Despite Dukakis's endorsement, he seems not to have read the book: "Americans are proud of this country and the democratic principles on which it was founded. But confidence in the conduct of public affairs has declined. Steven Kelman's *Making Public Policy* not only explains why, but offers those of us in public service practical approaches for reversing this trend and making government work better."
3. The purpose of the Constitution, of course—the reason Madison contributed to the Federalist Papers—was a desire to create a larger and more powerful government than that allowed by the Articles of Confederation.
4. Quoted from Gordon Tullock, *The Vote Motive* (London: Institute of Economic Affairs, 1976), 5.
5. David Mayhew, *Congress: The Electoral Connection* (New Haven: Yale University Press, 1974).
6. Morris Fiorina, *Congress: Keystone of the Washington Establishment* (New Haven: Yale University Press, 1977).
7. *See* Martha Derthick and Paul J. Quirk, *The Politics of Deregulation* (Washington: Brookings Institution, 1985).

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D. F. B. Tucker

LIBERALISM, MARXISM AND SOCIAL DEMOCRACY

MARXISM AND LIBERALISM

edited by Ellen Frankel Paul, Fred D. Miller, Jr., Jeffrey Paul and John Ahrens

New York: Basil Blackwell, 1986. 223 pp., $14.95 (paper)

LIBERALISM

by John Gray

Minneapolis: University of Minnesota Press, 1986. 106pp., $9.95 (paper)

Marxism and Liberalism is an anthology of recent work on Marxism as an ideology. Thus the tone is not merely historical (what did Marx actually say on this or that topic, how are we to understand his key concepts and how can we best interpret his intentions?) or analytical (how persuasive are his reasons for making the various claims attributed to him and how sound are his explanations?), but is primarily political. First, there is the problem of understanding whether the deeds of those who declare themselves communists can in any way be attributed to the ideology which they embrace. Here, whilst acknowledging the idealism which has inspired so much heroic resistance to oppression and sensitivity to the circumstances of the exploited and impoverished, the central concern is whether the teleological framework which underlies the critique of liberalism in the theory of Marx

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and Engels, and is developed in various ways by their successors, is implicated in the ruthless and irresponsible conduct so often exhibited by communist leaders in power. A second preoccupation is whether there are significant lessons to be drawn from a careful examination of the manner in which moral issues are addressed within the tradition; more particularly, whether there is an identifiable Marxist conception of the good society or the good life which offers any viable alternative to those articulated within liberalism.

I shall focus on an issue that must precede those concerns: namely, how to delineate the essential elements of Marxism and liberalism. The chapters contributed by G. A. Cohen, Allen Buchanan, John Gray and Steven Lukes are relevant here. One cannot hold Marxism responsible for violating liberal standards or suppose that it offers a distinct moral framework without preliminary clarification of this kind. And we do find that most contributors comprehend Marxism, either explicitly or by implication, by drawing a contrast with liberalism, and vice versa.

John Gray's *Liberalism* has also been included for review because I believe that his assessment of Marxism throws light on the vision of liberalism which he has so effectively advocated over the last decade.

Why the Issue is Not Merely Terminological

Ideological movements are extraordinarily difficult to analyze, for they are constituted partly by the practice of adherents and partly by the framework of ideas which informs that practice. Because Marxism and liberalism are both so significant, another problem we face is that the terrain is not only indeterminate but contested and political. Thus, writers who declare themselves to be Marxists or liberals, or who so describe other authors, are often doing more than simply classifying beliefs and values. The labels serve as ideological flags, signalling to friends and potential enemies alike. Moreover, credentials have to be established and there is usually argument about what counts as truly Marxist or liberal. And writers who embrace very different theoretical perspectives or who hold opposing views about social life and politics may, nevertheless, see themselves as belonging to the same ideological movement, and each may rightfully claim to have contributed to its evolution. Not surprisingly, then, it is often very difficult when discussing ideological traditions to be precise about their profiles. Nor can any author who analyzes ideological systems remain purely objective.

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A special difficulty of classification and terminology arises when we consider the values and beliefs of those who adopt something of a synthesis between Marxism and liberalism, embracing egalitarian and communitarian ideals but acknowledging, at the same time, the value of constitutional government and the importance of civil rights. In Western Europe this kind of composite ideology is predominant in liberal and conservative parties as well as among socialists. And although the European social democratic governments have initiated only cautious reforms and have been mindful of liberal values, their supporters (whether politicians or intellectuals) often embrace a rhetoric which reflects the past influence of Marxism rather than the current reality of their liberalism. Party members are still addressed as "comrade," and an attenuated conception of class solidarity is reflected in conventionally accepted modes of behavior and even in styles of dress, regardless of actual origins and education or whether anyone really believes that history is characterized by a struggle between classes. Moreover, images of conflict and exaggerated opinions about exploitation by the bourgeoisie flourish. In the United States, in contrast, no major political party upholding socialist ideals has emerged and, because the labor movement has never been as significant as it has been in Europe, there is no tradition of "comradeship" on the left. Indeed, apart from a few extremists who have no substantial following, everyone is regarded as either a liberal or a conservative. In practice, however, there are a large number of Americans who embrace social democratic ideals. In fact, the term liberal is often used in the United States to delineate those who support welfare in the name of equality or fairness. In contrast, many young European intellectuals now associate liberalism with an extreme form of individualism (which disallows the welfare programs implemented by most democratic governments) and with the tendency to give uncritical support to United States foreign policy initiatives.

It would be useful if we could solve this terminological problem by insisting that egalitarian liberals and liberal socialists describe themselves as social democrats. (G. A. Cohen suggests this in his contribution to the collection). Unfortunately, this option is not available, for ideologies emerge historically within political movements and cannot be delineated purely by philosophical analysis. Moreover, social democratic revisionism can rightfully claim a central if not predominant place within liberalism. Liberal democrats, in particular, have been extremely influential in shaping the evolution of the tradition, as is evidenced by the contributions of such notable writers as J. S. Mill, T. H.

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Green, L. T. Hobhouse and, more recently, philosophers such as John Rawls and Alan Gewirth, and legal theorists such as John Hart Ely, Bruce Ackerman, Ronald Dworkin and Herbert Hart. Indeed, if we look at the social democratic political movement, we find that its proponents have sought to revise both liberalism and Marxism, so that there is now an increasing division between those who are attracted more by one than the other and vice versa.

By considering some of the best work on the relationship between Marxism and liberalism, I wish to show that there are compelling reasons why social democrats should abandon Marxism and embrace liberalism. The problem, put bluntly, is that despite Marx's humanist individualism, he has very little to offer by way of guidance that has relevance to the problems faced within social democracies today. The reason for this is simply that he disregards the importance of civil rights. We have to turn to liberalism for any acceptable account of the rule of law, and it is liberal writers who address issues such as privacy, freedom of information, access and redress which are of central importance within contemporary democracies. Indeed, welfare states would quickly become intolerable without liberal procedural protections. Nor is it sufficient to ensure democratic accountability, as some revisionist Marxists suppose (see, for example, Alan Gilbert's contribution, in which he suggests that liberal accounts of democracy are impoverished because they focus on procedural solutions without addressing the unequal resources available to competing classes). Even those governments which can legitimately claim democratic authority (however this is conceived) must be required to pursue their programs only in ways that allow individuals a great deal of autonomy.

On the other hand, liberalism cannot succeed without a commitment to democracy. Indeed, if we ask too much in the name of liberty, seriously frustrating demands for justice when these are expressed through democratic means, we will end up with very little. This is why most people today are, in fact, liberal democrats and why they view political concerns as more fundamental than those which are primarily economic. In light of these considerations, I will suggest (contrary to the views of Cohen and Gray) that liberalism is best conceived of as a democratic orientation (rather than founded on any metaphysical views about human nature or property), and that while it shares a cautious skepticism with conservatism (derived from Hume), it can be distinguished from the latter tradition because it seeks procedural solutions and places more trust in critical rationalism. This understanding of the liberal tradition is, however, best developed after

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reviewing the contributions of Allen Buchanan and Steven Lukes, for I share their common understanding of the irreconcilability of liberal and Marxist views.

Lukes and Buchanan on Liberalism

Neither Lukes nor Buchanan is directly concerned with the delineation of liberalism, but a very distinct and useful perspective emerges from their view that Marxism not only lacks "the conceptual resources needed for building a society in which the individual is free to develop, but . . . [discourages] others from recognizing, much less attempting to remedy, its shortcomings" (as Buchanan puts it on page 144; see also 212, where Lukes makes a similar statement). Thus, liberalism can profitably be regarded as the converse of Marxism, that is, as offering the kind of resources which Buchanan and Lukes claim is missing from the latter tradition.

To understand why this is so, we must begin by considering more carefully the nature of the discourse which is absent from Marxism. Lukes refers us to the celebrated conceptual analysis undertaken by the Oxford philosopher H. L. A. Hart (in his paper "Are there any natural rights?").[1] It is, however, worth noting the much earlier conceptual clarification undertaken in the last chapter of John Stuart Mill's essay *Utilitarianism*. Here, he explains that concepts such as justice, rights and duty are most appropriately used when we are concerned about the legitimacy of institutionalized coercion; for, in Mill's view, these terms serve the function of identifying when we believe it appropriate for the state to regulate behavior. Indeed, his essay *On Liberty* takes up this understanding of a distinct "morality of law," in that he is concerned to identify one basis for declaring such coercion illegitimate. Mill's problem (of how to identify when the state may rightfully regulate behavior) has been a central focus of discussion within liberalism and, indeed, many philosophers (such as Hart) have sought to deepen and refine his provisional analysis. There is, nevertheless, some consensus that Mill is right to suppose that the concepts of justice, fairness, rights and obligation occupy a distinct place within our moral discourse. Lukes talks about them as delineating the principles of *Recht,* and I will adopt this terminology throughout my discussion.

An adequate theory of *Recht* would enable us to identify (1) the liberties and privileges which are essential for the maintenance of democratic accountability; (2) the limits on how governmental agencies may

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impose on individual citizens when securing public order (by policing and prosecuting), or when pursuing other legitimate collective goals or securing goods enjoyed by all (such as clean air); and (3) the circumstances when paternalistic laws may be enforced.[2] More specifically, *Recht* is concerned with establishing procedural arrangements which restrain governments or with sustaining the recognition of certain political conventions relating to the use of coercion. Thus, those who insist on the standards of *Recht* do so because they perceive the circumstances of modern societies to be threatening to individuals.

Indeed, according to both Lukes and Buchanan, there is a pessimism (some would say "realism") associated with *Recht:* those who find it necessary to develop such a theory assume, first, that the scarcity of available goods and the extent of human altruism ensure that there will always be conflicts about the distribution of resources; second, that modern societies are constituted by people who embrace different conceptions of the good, each favoring specific social relations and forms of life, so that adherents of any one conception are often significantly threatened by adherents of other conceptions; and finally, that individual interests may be damaged because of government's mistakes, or when information is incomplete, or when unsound inferences are drawn.

Recht is, of course, associated with liberalism and no theory which fails to provide such a framework can claim a place within the tradition. What characterizes liberal individualism (as opposed to Marxist humanism) is that the actual projects and commitments undertaken by citizens are deferred to. Thus, even those liberals who embrace sociological determinism prefer that governments be debarred from intervening paternalistically except when they can show that otherwise an individual's choice is clearly encumbered or the freedom of another person is likely to be deleteriously affected. A further characteristic of liberal individualism is its willingness to embrace the principle that the good of all—or any other collective or general commitment, such as the achievement of socialism—should not be pursued in ways which unfairly burden particular individuals.

Lukes and Buchanan on Marxism

Marx argues that he has established a new science which enables him to interpret political events in a more penetrating way than any previous writer. In particular, he boasts that his framework allows him to displace the moral appraisals which punctuate all previous historical

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work. Indeed, he holds the view that moral discourse is itself part of the reason why the scientific study of social life is so backward. Unfortunately, however, as Buchanan and Lukes both show, this arrogance is responsible for a great deal that is dangerous about Marx's legacy, including its hostility to *Recht*. For example, Marx argues that socialists have no need to embrace a moral discourse motivating people to embark on a revolutionary struggle because the self-interest of the proletariat, in confronting the bourgeoisie, is sufficient. This is why he pours such scorn on those socialists who discuss the "evils" of capitalism and the "rights" of workers. Not only does Marx try to convince other socialists that the language of *Recht* is unnecessary, he aims to show that it is pernicious. Indeed, he seeks to disclose how prevailing ideas of justice and rights merely reflect evolving relations of production and how they serve, ideologically, to conceal class interests. What talk of rights actually suggests, Marx tells us, is the illusory notion that competing claims can be resolved within the existing social order.

A second feature of Marx's legacy which accounts for the left's denigration of *Recht* is its utopianism. Although Marx cannot be accused of hoping to change the world merely by offering an image of the good society, he does explain egoism and all the serious moral and social conflicts of past history by establishing their basis in class relations. Since the future which he envisages will be free of such relations, egoism and conflict will also vanish. In this regard, Buchanan tells us that while Marx holds back from claiming that all conflict will disappear, he does suggest that "in communism there will be no conflicts arising from class interests or from the egoism which class interests generate" (Paul, 141). Thus, Marx comes to the extraordinary conclusion that the circumstances which give rise to the need for *Recht* will simply disappear. This view has unfortunately been accepted rather uncritically. Indeed, Lukes exaggerates only slightly when he tells us that the Marxist canon "is innocent (and totally so at the level of theory) of any serious consideration of all the interpersonal and intrapersonal sources of conflict and frustration that cannot, or can no longer, plausibly be traced, even remotely, to class division" (Paul, 217–18).

Cohen on Marxism and Liberalism

For the reasons which I have just listed, writers who are sympathetic to Marxism have tended to avoid confronting the issue of *Recht*. Rather, they have attempted to appropriate what they regard as the moral high

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ground by claiming that liberalism presupposes a mean-spirited individualism. And they have generally argued that Marxism, in contrast, offers a conception of human nature which is both more sensitive to the ways in which our personalities are shaped through social interaction and which challenges the liberal notion that talk of pre-social, abstract, individuals makes sense. In terms of this popular Marxist view, it is absurd to suppose that individuals can be viewed as enjoying natural rights or that the origins of social life can be illuminated by presupposing proprietors who are capable of negotiating some kind of modus vivendi with each other. Thus, Marxists hold that most versions of liberalism are vitiated because they are characteristically founded on the notion that all the resources of the world, including talents and skills as well as materials, are privately owned (and that they are, consequently, unavailable as a collective asset which may legitimately be used by a community for its purposes or distributed in the light of various conceptions of social justice).

Cohen is aware that this vision of liberalism either caricatures the views of those few writers who still make use of the notion of natural rights, or is illusory because different lines of argument are used to justify property rights and, indeed, because the most influential of these are utilitarian, rather than deontological. But he is also sensitive to the advantages, for Marxism, which result from the portrayal of liberalism as presupposing abstract individualism. Thus, he sets out to refine, develop and revise the critique. And it is in this spirit that he asks us to distinguish different individualist assumptions which have been significant within liberalism. In his view, all liberals hold that (1) "Each person has full private property in himself (and, consequently, no private property in anyone else). He may do what he likes with himself provided that he does not harm others" (Paul, 79). This is the most elementary assumption about proprietorship upon which liberalism is founded, according to Cohen.[3] It accounts for the importance to liberalism of anti-paternalism and entails that we honor many of the standard freedoms. It also explains why liberals hold their theory to have universal applicability—all individuals are entitled to claim-rights over their own person, regardless of the customs and traditions of their community.

Cohen tells us that right-wing liberals also claim that (2) "Self-owning persons can acquire equally strong moral rights to unequal amounts of external resources" (Paul, 79), but that left-wing liberals deny this. As there is no easy deductive argument which shows conclusively that (2) is an entailment of (1), no inconsistency arises in

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holding this more egalitarian position. Cohen tells us that left-wing liberals make the different, more plausible, assumption that (3) Raw external resources should be regarded as initially (that is, "in their native state") jointly or collectively owned—they are not unowned and available for private appropriation.

Cohen notes that (1) is an extremely plausible assumption which most of us make even though we may not be conscious of this. (Consider the likely reaction if, for example, the state wishes to pursue affirmative action programs by demanding parts from healthy people's bodies for distribution in the name of justice—one eye from some of those who have two healthy ones to support those who are blind, allowing everyone at least some vision.) Moreover, he points out that the classical Marxist writers also embrace a version of (1) and that, consequently, like so many liberals, they are guilty of abstract individualism (in assuming that individuals enjoy a proprietorship over their persons and capacities). In Cohen's judgment, what the traditional left critique has actually found to be questionable about the individualism embraced by liberals is not (1) as much as (2). Thus, he argues that the contemporary left needs to be cognizant of the fact that many influential liberal writers do not embrace (2). Instead, they prefer (3). (Cohen cites Henry George, Leon Walras, Herbert Spencer and Hillel Steiner as examples).

After facing this predicament squarely, Cohen distinguishes a more uncompromising egalitarian position which we may think of as collectivist because it rejects (1). According to this radical egalitarian position, abstract individualism should be completely abandoned, for people do not have any propriety rights over their talents and capacities, nor may they claim any special reward for their individual characters. Rather, these assets are seen to result from luck and circumstance. Thus, society may legitimately dispose of available resources as it sees fit.

Armed with these distinctions, Cohen suggests that we can best clarify differences between competing traditions if we allow that liberalism should be understood as presupposing a minimal abstract individualism (1). We must not suppose, however, that liberals necessarily embrace (2), which is a far more controversial assumption. But what of Marxism? Must contemporary left writers follow the classical authors in holding that individuals enjoy a right to control their own persons and capacities? Cohen seems to suppose that because of Marxism's more holistic vision, the individualism of early socialists is actually incongruous, reflecting assumptions prevalent in the nineteenth

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century; thus, contemporary writers who reject this way of thinking revise the theory in a way which is more compatible with most of its other doctrines.

But why should we accept Cohen's rather arbitrary stipulation? Why should we allow Marxists to revise their premises but disallow liberalism from evolving in the same way? He gives no good reasons why those who are wary of Marxism and firmly committed to *Recht* cannot embrace (3) and also reject (1). Indeed, he admits that John Rawls has successfully accomplished this by postulating a state-of-nature contract without making any assumptions about private property rights. Thus, Cohen's suggestion begs the question of what properly counts as a liberal position as it is raised by those who see the tradition as a political orientation (as I have recommended, following the analysis of Lukes and Buchanan and as Rawls himself recommends).[4] Of course, Marxism gains considerably from Cohen's maneuver, for if we allow liberalism to be defined so that (1) is entailed as a foundational metaphysical assumption, anyone who declares him- or herself a liberal would be inconsistent if he or she accepted the legitimacy of such successful democracies as Sweden, Austria and the Netherlands. This is because each of these societies has systematically pursued public policies aimed at using the talents of its people as a collective resource. In these systems, citizens who are successful in developing skills which earn a high reward from others are taxed disproportionately. It follows, then, that Cohen would have anyone inspired by socialist ideals abandon the liberal camp in order to be consistent. He would classify them as members of a distinct tradition competing with Marxism and liberalism.

I can find little to recommend this stipulation.

Gray on Marxism

Of the writers contributing to this volume, John Gray is perhaps the most eager to ensure that ideological debate is conducted within what he regards as correct parameters. And he offers very forceful arguments for delineating liberalism and Marxism in ways that favor his own Hayekian political commitments.

According to Gray, it is the attitude taken towards markets which most clearly distinguishes the competing ideological traditions. Indeed, in terms of his account, Marxism (is so far as it is compatible at all with the views of Marx and the practices of those communists who have attempted to implement his views) embraces the aim of supplant-

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ing market competition and replacing this method of resource allocation with a system which relies on collective planning. It is this ideal which, Gray claims, unites the theory and practice of Marxists.

In establishing this interpretation, Gray draws attention to the centrality within Marx's work of his idea of alienation, pointing out how Marx's moral condemnation of capitalism flows from his view that the discipline of market competition represents an alien force which transforms human relationships so that, under the more advanced form of market society, capitalism, we are no longer capable of dealing with one another as persons. This subordination to the alien power of the market is what Marx understands by alienation. Gray successfully demonstrates that it is this vision of alienated humanity, rather than conventional socialist worries about any alleged unfairness in the distribution of resources (which also results through competition), which most troubles Marx about capitalism. Indeed, this is the reason Marx conceives of socialism as constituting the reclamation of human powers—it allows for purposive planning rather than blind submission to market forces. According to Gray, then, what is of central importance for Marx is that individuals should be free to negotiate their future lives together on the basis of values which have been chosen by them, rather than forced upon them through the imperatives of the market. Thus, Marxist writers usually hold that democracy is only possible under socialism and that what passes for such under capitalism is a mere fiction.

Gray's account of Marx's perspective supplements the contribution of Lukes and Buchanan, helping us to understand the relationship between Marxism as a theory and the practice of communism. Clearly the absence of any theory of *Recht* within Marxism can also be linked to Marx's conception of freedom and Gray is quite justified in establishing this.

Gray's account becomes more controversial, however, if we read him as explaining the origins of totalitarian tendencies. Here, we need to ask whether the aspiration to control markets has been as pernicious as he seems to suggest. Moreover, in making this judgment, we have to be informed, not merely by the history of Marxist regimes which aspire to total control by seeking to avoid all accountability to those whose lives are affected, but by the experiences of the liberal democracies which have also imposed controls on markets in the name of justice or in pursuit of other values such as nationalism or aesthetics. Since many of these latter societies have managed to maintain a firm commitment to *Recht* and a liberal understanding of democratic accountability whilst, at the same time, planning their economic evolu-

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tion, we must view any inferences about the relationship between planning and tyranny that is made on the sole basis of the pattern found in communist regimes with caution.

Gray on Liberalism

Gray's account of liberalism also carries the authority of his very wide scholarship and is forcefully stated. In his view, so long as a few basic characteristics are satisfied, many different theories may qualify as liberal. He requires only that they be individualist and meliorist, embrace formal equality, and have universal application (Gray, ix–xi). But he also contrasts what he calls classical liberalism with the predominant liberalism of modern times, which he calls revisionist. Indeed, he argues that the only form of liberalism worthy of being taken seriously is that which derives from the classical tradition, because only this variety takes a distinctive attitude towards market forces. Indeed, Gray argues that its central assumptions are precisely the antithesis of those of Marx, namely: (1) that the aspiration towards collective planning, far from promoting the liberty of mankind, as Marx alleges, results in totalitarian enslavement when pressed to extremes; (2) that far from undermining human control, markets offer a way forward because they allow societies to make use of tacit local knowledge which would otherwise be lost, offering greater opportunities for flourishing and prosperity. So understood, the importance of liberalism is its comprehension that our liberty and prosperity both depend on recognizing our incapacity to frame reliable plans establishing rational control over social and economic life.

Gray tells us that his vision is not shared by a large number of other scholars and commentators, and that many writers who do not defend economic freedoms declare their brand of liberalism significant. Indeed, the central purpose of his essay is to expose and challenge what he believes to be the misconceptions of those liberals (whom he acknowledges to be the predominant group) who, following Mill, have sought to understand liberalism as a political orientation concerned essentially with civil rights. He also argues that the nineteenth-century rationalism which led to revisionism links liberalism with the Marxian aspiration to reconstruct social relations, and he claims that far from promoting liberty, it constantly threatens to embrace coercion. In his view, then, we should exorcise rationalism once and for all and return to the classical liberalism of the Scottish Enlightenment.

We can see, then, that there is some agreement between Gray and

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Cohen about what is fundamental within liberalism. (There is very little agreement between them about Marxism!) As we have seen, Cohen wishes to encourage some sort of rapprochement between Marxist writers and egalitarian liberals. Indeed, his account of liberalism is such that social democrats have little option but to look more favorably upon the socialist ideal which he believes is best articulated within Marxism. Gray, of course, has very different objectives. In his view, Marxism is utterly discredited both theoretically (by the work of Ludwig von Mises and F. A. Hayek) and in practice (because of the history of communism in the twentieth century); thus, the more dangerous ideological foes are in fact those liberal writers who are strongly attracted towards social democratic ideals. Indeed, he complains that liberals who flirt with egalitarian ideals (such as Mill, Rawls, Ackerman and Dworkin, to name a few on his list) embrace the methodological disseveration of distribution and production, which he calls the central distributionist heresy of revisionary liberalism. In his view, it is because these egalitarian liberals fail to understand the systemic impact which distributive arrangements have on productive life that they are able to dissociate economic from other liberties, valuing the latter often at the expense of the former. And in doing this, he tells us, they are less perceptive than Marx, who understood how forms of economic organization constitute systems which impact upon human flourishing, foreclosing the choices available to individuals.

Common political ground is found, then, between the Marxist left and the far right: each is happy to dispose of the reconciliation offered by the reality of, and possibilities for, liberal democracy. For Cohen this middle ground should really be appropriated by Marxists who, he argues, ought to follow Rawls in rejecting individual self-ownership as a basic premise of their political philosophy. Gray seems to be delighted to allow this appropriation for, in his view, liberals should be far more wary of elected governments than social democrats are. Indeed, true liberalism (as he understands it) comprehends that political equality and individual liberty are potentially competitive principles. Thus, he follows Hayek in supposing that democrats who pursue social justice using the instrumentality of the state compromise their liberalism.

Liberalism and Social Democracy

Gray has a great many useful things to tell us about liberal attitudes to the state. For example, he correctly notes that although some liberals

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have been attracted by the idea of minimum government (with the functions of the state restricted to protecting rights and upholding formal justice) most writers have sensibly acknowledged that governments may legitimately pursue a range of other functions (such as the promotion of scientific research) so long as "it imposes no coercive burdens on private initiatives in the areas in which it operates" (Gray, 76). And he is surely correct in noting that liberalism imposes limits on what governments may do and especially on how they may go about pursuing collective goals. He does, nevertheless, embrace the controversial claim that the liberal state need not be democratic, and that because unlimited democratic government would be intolerable "an authoritarian type of government may sometimes do better from a liberal standpoint than a democratic regime, always provided that the governmental authorities are restricted in their activities by the rule of law" (Gray, 74). Also, his own suggestions as to the proper limits of government are far too restrictive in that he supposes that any attempt to redistribute wealth through taxation is illegitimate (Gray, 78–79). Thus, although he believes that the state may legitimately provide welfare services, securing at least a subsistence level for the poor, it must fund this without imposing disproportionate burdens on the rich.

There are clear tensions between Gray's vision of the proper limits of the state and any realistic recognition of democratic authority. Indeed, he seems to be completely insensitive to the fact that democratic institutions perform a legitimation function in contemporary systems which would be compromised if changes of the kind he recommends, frustrating representative parliaments, were made. Also, although he is obviously right when he notices that liberal conventions serve to restrain governments, even democratic ones, he does not distinguish between those restraints which require governments to forego certain means, leaving them free to adopt other strategies, and those which proscribe goals themselves. Gray is asking us to contemplate a social system in which majorities which have been mobilized behind the ideal of social justice are faced by impediments (imposed in the light of his conception of liberalism) which frustrate their ambitions absolutely—for egalitarian goals cannot be adequately pursued unless the system of taxation ensures a fair redistribution of wealth. Thus Gray's proposals are likely to lead to what Jürgen Habermas calls a legitimation crisis.

The following likely consequences and problems are worth scrutinizing:

(1) *Transformation.* Many groups will oppose these Hayekian

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changes and their opposition will have to be dealt with. At the psychological level, we face the fact that any genuine attempt to deregulate social life, so that it conforms more closely to the "spontaneous order" which Gray believes will inaugurate a new human flourishing, will impact on particular individuals and communities in different ways and some people will feel decidedly ill-treated—and they will often have good reasons for resentment. Indeed, whole communities are likely to be disaffected. Of course, Gray may be correct in holding that if market forces are given time to work so that resources are reallocated competitively, even those who will be worst off will be better off than the worst off in social democratic systems can ever be. But this judgment (which surely is implausible) has only been tested in practice when economic liberties have been sustained under authoritarian regimes (as in South Korea, Taiwan or Singapore or in predemocratic Europe). Thus, when we claim that people will be "better off" in such a system, we may need to take into account the fact that a spontaneous economic order is very unlikely to survive for very long when the political system is both free and democratic. The reason for this is that those affected deleteriously are likely to offer bitter resistance. Thus, extraneous factors (riots, lockouts, destruction of property, theft and many other forms of disruption) will arise to distort market forces and encourage political intervention to secure justice for the aggrieved. This will set back productivity for a long time—until the unstructured battle is won. Moreover, it will require coercion on a scale that is likely to brutalize those involved, including those in charge, returning the society to tyranny.

(2) *Consolidation*. Constitutional changes aimed at destroying the democratic process by rendering parliaments virtually impotent will somehow have to be brought about. And even if a majority is found supporting constitutional changes to shackle parliamentary initiatives (an unlikely eventuality), what reason is there to suppose that future majorities will feel bound to honor these restrictions? The problem, here, is that constitutional restraints or conventions can securely fetter parliaments only when there is a shared understanding that can be justified by appealing to justice. But the Hayekian conception of justice which Gray recommends is a contested one which is very unlikely to secure this kind of broad consensus.

(3) *Stabilization*. Even supposing that Hayekian changes could be consolidated peacefully, if we render parliamentary governments impotent, we will not attract the most able people into politics (they will be in business). How then are we to ensure the future against dema-

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gogy in times of crisis (this danger has arisen in the past when parliamentary government is a fraud)? Also, as economic inequalities grow so will the temptation to translate wealth into power. Hayekian liberalism offers little security against either of these possibilities.

I conclude that those liberals who suggest that governments should be forced to honor economic liberties—recognizing the holding of private property as a fundamental right—do not take the political costs adequately into account. Hayek, in particular, clearly fails to understand how shared concepts of social justice (not merely formal justice) are needed to reconcile people to compromise and Gray seems to follow him in this. Nor does either comprehend liberalism in its totality, accepting that we also need to embrace democratic accountability as a fundamental commitment (together with a respect for *Recht* and a recognition of the importance of markets). Perhaps the Northern European democracies, which embrace all three of the liberal institutional restraints in their practice, are not as productive as they could be if they were to abolish their parliaments in order to secure a market order under law (although they are amongst the most innovative and successful communities); but they do provide an environment for human flourishing and have sustained civility for a considerable period. Gray has provided us with no sound reason why liberals should turn their backs on this experience. Nor, as we have seen, has Cohen.

NOTES

1. H. L. A. Hart, "Are there any natural rights?" *Philosophical Review* 64 (1955): 175–91.
2. I have followed Buchanan's useful discussion in identifying these functions. See *Marxism and Liberalism,* 143 and his *Marx and Justice: The Radical Critique of Liberalism* (Totowa, N.J.: Rowman & Allanheld, 1985), 156–66.
3. John Gray seems to endorse this view. See *Liberalism,* 63.
4. See John Rawls, "The Basic Liberties and their Priority" in Sterling M. McCurrin, ed., *The Tanner Lectures on Human Values,* vol. III (Cambridge: Cambridge University Press, 1982) and "The Idea of an Overlapping Consensus," *Oxford Journal of Legal Studies* 7, no. 1 (1987): 1–26.

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Elliot Yale Neaman

LIBERALISM AND POST-MODERN HERMENEUTICS

HERMENEUTICS AND THE SOCIOLOGY OF KNOWLEDGE
by Susan J. Hekman
Notre Dame: University of Notre Dame Press, 1986. 224 pp., $29.95

HERMENEUTICS AND PRAXIS
edited by Robert Hollinger
Notre Dame: University of Notre Dame Press, 1985. 296 pp., $29.95, $12.95 (paper)

HERMENEUTICS AND MODERN PHILOSOPHY
edited by Brice R. Wachterhauser
Albany: State University of New York Press, 1986. 506 pp., $49.50. $16.95 (paper)

RADICAL HERMENEUTICS: REPETITION, DECONSTRUCTION AND THE HERMENEUTIC PROJECT
by John D. Caputo
Bloomington: Indiana University Press, 1987. 319 pp., $37.50, $17.50 (paper)

HERMENEUTICS AS POLITICS
by Stanley Rosen
New York: Oxford University Press, 1987. 256 pp., $24.95

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To begin with, we should ask what the term "post-modern" signifies. A contemporary ism which must identify itself by a prefix indicating, not what it is, but that to which it is subsequent, is probably in a state of—let us express it positively—creative confusion. Voices have been raised to the effect that post-modernism is a form of reactionary and self-complacent quietism in the face of post-revolutionary despair.[1] Conversely, post-modern philosophers are sometimes seen as prophets of obscurantism and nihilism, bent on undermining the foundations of bourgeois civilization.[2] The main points at issue are the content of the legacy of the Enlightenment and the consequences of this legacy for modern society. All of the books here under review grapple with these questions, both disputing and affirming the validity of the spectrum demarcated by the two positions sketched above.

It is likely that the ambiguity surrounding the political inclination of post-modernist culture is connected to what Jean-Francois Lyotard has identified as one of its pervasive qualities, namely an hostility to "grand narratives."[3] By this he means a rejection of the belief in architectonic philosophical systems and a deep suspicion of rhetorical strategies which effect "closure," i.e., strategies which attribute truth to a given epoch's particular style of writing. If Lyotard is right, then an important feature of the post-modern sensibility is a disavowal that philosophy can produce globalizing truth-claims about politics, ethics, science and other important aspects of modern culture. For Lyotard, the skills necessary to retrieve and manipulate information from data banks have replaced the ideals of truth, justice and humanism which once provided regulative norms upon which the various disciplines of science had based themselves since the founding of modern universities. Post-modernists argue that science is no longer able to provide legitimation for *the* scientific method, since each of the hundreds of scientific sub-disciplines operate according to internally coherent language games. Truth-claims have been transformed into practices in which knowledge is evaluated in terms of efficiency, saleability and usefulness.[4]

If this is post-modernism, then it can support both the quietistic and the subversive tendencies introduced above. There are, accordingly, a large number of extremely divergent post-modernist views on, as examples, the nature of the relationship between the natural and the social sciences, the supposed abandonment of political and aesthetic redemptive programs, the consequences of the Enlightenment desire to dominate nature, the exercise of power and the "transpar-

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ency" of liberal democracies, and a host of other aesthetic and cultural issues, such as architecture, avant-garde art, feminism and sexuality.

Post-modernist political sensibility is post-Enlightenment because many of its thinkers deny a central tenet of that epoch's self-understanding: the notion that the cultivation of reason leads both to inner autonomy and to an externally rational society. This generally anti-utopian sensibility can manifest itself in eclecticism, despair or selective engagement on a wide range of issues in the place of an a priori ideology.

Post-modernist epistemology is much more sensitive to the fissures and gaps in the history of thought which the En*light*enment wished, by force of will, to pave over with a progressive meliorism. Many post-modernists are interested in exploring the possibilities of an epistemology which is not bound to the convention of privileging vision over the other four senses. Following the aesthetic revolution of cubism and surrealism in the early part of the twentieth century, these thinkers, especially in France, have radically questioned the appearance of certainty which our vision endows upon objects in the external world. Like modern physicists and artists, they are more interested in the flux of forms behind the surface appearance of the object and they have increasingly investigated the way in which an emphasis on hearing, smelling, touching and tasting undermines the traditional epistemological categories of understanding.

Hermeneutics and Post-Modernism

A good example of this alternative epistemology is the way in which hermeneutics approaches the reading of texts. Hermeneutics arose out of the need of eighteenth-century Protestant theologians to establish principles of biblical exegesis. In the early nineteenth century, German theologians like Schleiermacher and Boeckh expanded the field of hermeneutics to include all ancient texts. In attempting to establish methodological principles for the interpretation of texts, a keen historical sense was regarded as essential. Since history cannot be mathematized, the method of *Verstehen*—the empathetic understanding of texts in their historical context—was advanced at this time as an alternative form of scientific understanding. The science of philology as an academic discipline developed out of hermeneutics, and the application of its principles by the likes of Dilthey and Nietzsche shook up the edifice of history itself, which had up to then been taken as a solid frame-

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work within which hermeneutics operated. With Nietzsche, the interpretation of history and of the world depends on the perspective of the observer.

In contemporary versions of hermeneutics, the definition of the text itself has changed to include non-written sources. "Texts" now include not only books but any product of human culture, including art and dreams, which can be read as embodiments, traces, or expressions of events beyond the intentionality of individual agents. In modern hermeneutics, the interpreter looks beyond the consciousness of the author to see how independent structures of signification interact with each other. The classic text in this regard would be Freud's *Interpretation of Dreams*. Instead of a purely visual understanding, which privileges terms like "insight," "demonstration" or "clarification" (all ocular metaphors), hermeneutics chooses to valorize the other senses in understanding—to approach texts indeed as "textuality" in a more diversified, physical sense. Heidegger and Derrida, for example, privilege listening to the voice of the text, analogously to the Hebraic apprehension of the voice of God. A French feminist like Luce Irigary proposes that feminine understanding is based more on touch and internal states than on the dominating and external phallocentric understanding of males.

Following Gadamer, hermeneutics applauds the inescapability of tradition, authority and prejudices, all of which constitute the extra-rational context within which human action, institutions, cultural products and history are to be evaluated. In this scheme, art and rhetoric are offered as superior modes of understanding to the objectifying matrices into which "reality" is pressed by social-scientific methods. There is a certain fluidity, then, between hermeneutics and post-modernism. What Stanley Rosen includes in his treatment of "hermeneutics as politics" and John Caputo understands by "radical hermeneutics" embraces the entire gamut of fashionable Continental philosophy, preeminently Foucault, Derrida, and Lacan, as well as Gadamer and Heidegger. It would be clearer if we reserved the term "hermeneutics" for the kind of historical understanding which Gadamer espouses in his seminal work, *Truth and Method,* in order to differentiate that strain of post-modernist thought from other types. Foucault, for example, is interested in the question of power and ideology and how the Enlightenment deification of the scientific method has led to de-centered abuses of power at the institutional level (e.g. schools, hospitals, prisons) in modern societies. He claims to be doing historical research without attempting the supposed dialogical "fusion of

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horizons" which is so central to Gadamer's work. Foucault denies that he is a "post-structuralist," but it is clear that he is more indebted to the structuralists Lévi-Strauss and Althusser than to German phenomenology.

Derrida, for his part, has strongly criticized Foucault on a wide number of issues, and he claims he is hostile to hermeneutics. He clearly builds on Heidegger, but he has a much different agenda than the hermeneutic one associated with Gadamer. One of Derrida's projects is to continue unmasking the unreflective presuppositions inherent in the tradition of Western metaphysics—an endeavor which he, like most post-modernists, traces to the work of Nietzsche. Finally, it might be pointed out that the post-modern debate has also been energetically joined by the Critical (Frankfurt) school in Germany, notably by its most illustrious member, Jürgen Habermas. The debate between Habermas and Gadamer is now almost legendary, but recently Habermas has made quite explicit his rejection of the anti-Enlightenment positions of Heidegger, Gadamer, Foucault and Derrida, all of whom Habermas sees as abandoning, in a collective performative contradiction, the ground rules of communicative reason, while attempting to replace reason with supposedly higher, more compelling styles of thought. The fact that writers like Rosen, Hekman, and Caputo, as well as many of those included in the essay collections here under review, treat all of these thinkers as in some way or another hermeneutical, means that the term has taken on a wider significance than it originally possessed. This should not, however, blind us to the circumstance that hermeneutics, strictly speaking, is only one of the competing "paradigms" in post-modern thought, and that the very term "post-modern" refers (in its broadest usage) to a series of debates between very unlike-minded individuals on a wide variety of topics.

Hermeneutics and Liberalism

With that caveat in mind, let us turn our attention now to the debates themselves. What is perhaps most interesting are the points of contact between hermeneutics and, should we dare say, post-modern liberalism? In the pages of this journal (Summer 1987), Tom G. Palmer has already elucidated, quite accurately, the points of agreement between Gadamer's form of hermeneutics and Austrian-school subjectivism. He points out that Gadamer's critique of the methodological objectifi-

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cation of human relations in the social sciences accords well with the Austrian (Misesian, Hayekian) emphasis on the unplanned nature of social interaction, particularly, of course, in regard to the marketplace. Palmer also appreciates Gadamer's central concern with the legitimacy of tradition, evaluating this as a kind of guarantee that social criticism will be carried out on a normative plane which places the highest value on the "defense of liberty."[5] Without deciding, for the moment, whether or not this is a defensible presentation of Gadamer's position, let us use Palmer's recognition of a common base as a departure to investigate the issues taken up by the books here under consideration.

Both Hekman and Caputo, as well as a good many of the authors in the essay collections (Richard Rorty, Richard J. Bernstein, Gianni Vattimo, David C. Hoy), espouse hermeneutics as a critique of the natural and the social sciences in a manner which runs radically counter to the essentially limiting, conservative nature of Palmer's reading of Gadamer. In particular, these authors advance a "strong" methodological claim for having transcended the understanding/explaining (*Verstehen/Erklären*) dichotomy, which, in their eyes, is a false choice rooted in an unreflective subservience to Enlightenment notions of knowable objective reality. If this project of overcoming the division between the natural and the human sciences can be made plausible, it would certainly pose a challenge to the subjectivist position which holds the allegiance of the Austrian school. An examination of this claim holds more than merely methodological interest, however, because covertly wedded to this critique of monological reasoning, one cannot fail to detect a key polemical position of post-modernist thought—that the boundaries between the real and the imaginary must be blurred so as to radically undermine and subsequently replace the "objective" world with a plurality of perspectival discourses.

Hekman unfolds a novel and sophisticated challenge to the ruling assumptions behind contemporary social science. She, like Palmer, defends Gadamer against the crude critique of his alleged relativism and obscurantism without being apologetic. Her thesis is based on a nuanced reading of those texts claimed by sociologists to constitute the classics of their discipline. Her aim is to establish a post-Marxian reformulation of the practice of the sociology of knowledge. In order to do this, she sees herself fighting various foes: traditional reductionist Marxism, structuralist anthropology, psychology, and what she regards as the "nihilism" of Derrida and Foucault. It is an impressive undertaking, but for reasons spelled out below, an overly ambitious and ultimately misconceived one.

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Hekman's book is well worth reading because its author does not dismiss, as many post-modernists do, the virtues of rigorous argumentation. But there are other reasons as well. The book demonstrates with conviction the post-modern hermeneutical attempt to shift our interpretation of reality from one in which an isolated observer stands over and against a finite material and social world, to one in which the pursuit of knowledge is a shared practice ineffably bound up with timeless questions of existence. This is both its weak and its strong quality. Hekman thinks that this approach will open up for the social sciences a deeper and richer world of history and human experience. The object of the social sciences, she tells us, is to "examine the relationship between human thought and human existence" (49). This might mean that human practices should not be examined without inquiring into their significance, which is true, but also banal. Or it could, and probably does infer a kind of Idealism, in which human practices are in fact conceived of as expressing human thought. This accords well with the "expressivism" which Charles Taylor has suggested underlies much of Hegel's understanding of the social world,[6] and which has survived in modern phenomenology and, as Hekman's book shows, even in contemporary thinking about the social sciences.

This kind of expressive Idealism must resist the commonsense notion that the material world and the mind are ineluctably separate. Many phenomenologists assume that reality is constituted for and by the intercession of an interpretive mind. Any other position must assume that there are two kinds of knowledge, one about the world "out there" and one about internal states of consciousness. Hekman names "foundational" thought any methodology which assumes a strict division between objective and subjective knowledge, the former being defined by empirical science and the latter by the intentional states, beliefs, desires and private thoughts of individual actors. In what is surely a questionable move, she defines the "sociology of knowledge" as the practice of those thinkers who have been primarily interested in the subjective realm of human experience, always working under the assumption that through enlightenment and emancipation our knowledge of the human world will become increasingly objective. By means of this sleight of hand, she can reconstitute the history of the sociology of knowledge as comprising Bacon, Vico, Montesquieu, Marx, Dilthey, Husserl, Scheler, and then of course Karl Mannheim, who was, in her mind, merely the first thinker in this long and noble lineage to become aware of the real nature of their shared project. This strategy allows her to mold Gadamer's interpretive her-

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meneutics, which never admits of clear boundaries between thought and world, to her "anti-foundational" reconstitution of the sociology of knowledge.

Hermeneutics and Science

It is tempting, once the "real world" has become effaced by the reigning importance of the interpreted world, to dismiss the validity of natural sciences altogether and to espouse a "universal" hermeneutics. This is in fact the final step which Hekman takes:

> Gadamer effectively reverses Enlightenment thought on the relationship between the natural and the social sciences. . . . For the Enlightenment the natural sciences provided a method that alone could lead to truth. For them the social sciences were, by nature, suspect; they could only attain truth by mimicking the scientific method, and whether they were capable of this was regarded as doubtful. Gadamer has now shown that the reverse is true: the model of understanding characteristic of the human sciences is the *universal* process by which we, as human beings, attain knowledge; that characteristic of the natural sciences, on the other hand, seriously distorts this process, hence calling into question the legitimacy of this mode of understanding. (107, my emphasis)

This universalist claim goes to the heart of the post-modern agenda and its "expressivist" Idealism. For it situates truth not, as many of its detractors would have it, in myth or irrationality, but rather in historically constituted, alternating forms of discourse which are collective, not individual expressions of reason. This is, of course, an extremely complicated and controversial notion of reason. It has many problems, of which I will mention only two. First, its reliance on language as the royal road to uncovering reality is increasingly in danger of becoming anachronistic in a world where the symbolic and primarily mathematical form of scientific logic has removed itself ever farther from the commonsense world of linguistic signification. If truth is, as Hekman puts it, to be replaced by "correctness" as "conformity to the horizon of meaning from which interpretation in made" (115), then truth, for the purveyors of humanistic *Bildung,* might amount to nothing more than what happens when academic friends agree with each other. Second, it is not clear how the awareness of fusion between observer and observed will ultimately change the nature of the social sciences or help establish a universal sociology of knowledge. The pic-

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ture which Hekman draws is one of a highly self-conscious group of self-reflective interpreters who are so concerned with tortuous methodological presuppositions that they might very well never get past their hermeneutic doubts and suspicions in order to begin working.

The valuable part of Hekman's book lies in her demonstration that all attempts to find an Archimedean point of reference from which humans can interpret themselves or their world are doomed to failure. Even if—justifiably—they do not agree with the far-reaching implications which Hekman draws from this observation, her book nevertheless challenges those who hold on to the reigning forms of empiricism in the social sciences to buttress their (lack of) methodological presuppositions.

In philosophy, simple correspondence theories of truth have indeed lost the status they once enjoyed in the heyday of positivism. But it is not clear yet how far the hermeneuticists want to go toward junking all notions of objectivity. This is one of the major themes that emerges in the collections edited by Wachterhauser and Hollinger. Even a cursory glance at the titles reveals the extent to which these authors, mostly sympathetic to the hermeneutic approach, are uneasy about the paradoxical implications of this kind of philosophizing; the themes of objectivity, truth, nihilism, scope, function, reason and paradox are repeatedly the central foci of their deliberations.

Both of these volumes offer good introductory essays on elementary aspects of hermeneutics, as well as providing classic texts by Gadamer, Ricoeur and Habermas. A comprehensive account of the themes taken up will be impossible in this space. A few key points on the issues brought out in the discussion of Hekman, however, should be made in regard to these readings. On the question of science and the non-interpreted material world two basic positions emerge. Some commentators are uneasy about the totalizing claims of hermeneutics which would reduce science to just another "discourse." Dreyfus, for example, in his article "Holism and Hermeneutics" (Hollinger, 227–48), points out that the kind of universalist holism advocated by Rorty does not pay enough attention to the important differences which exist between the interpretation of the human and the natural world. Dreyfus is not pleading for a return to the *Verstehen/Erklären* distinction, for he admits that the work of the scientist is dependent on interpretive paradigms; but this does not mean, for Dreyfus, that the successive paradigms of science can't get very close to correct descriptions of the physical world. At another level, many of the other commentators simply are not interested in the truth-value of the scientist's activity

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because they want to treat human interaction as more foundational and important. These debates show that an observer cannot determine with precision where hermeneutics would have him draw the line between the reality of independently existing objects and the meaning attributed to that reality by human agents. This is because the hermeneuticists' point is that such line-drawing, the essence of modern metaphysics, is to be rejected.

Radical Hermeneutics

John D. Caputo's *Radical Hermeneutics* is a celebration of the Heraclitean flux, which, the author assures us, frees us both from our addiction to truth and to nihilism, if only we know how to make philosophy work for us. Caputo is a distinguished philosopher who has mastered his material well, and who is secure enough to write high rhetoric without fear of what the pedants will say. But this book, for all its wit, utterly fails to convince. With Bohemian charm, the author dismisses all-too-serious philosophizing and wants to return us to the ethical roots of Greek wisdom: the point of philosophy is to make life harder. But there is political intent as well: by adhering to the flux we undermine the ossified foundations of the institutions which oppress us. The magical formula for this philosophical feat is an eclectic brew of Kierkegaard, Husserl, Heidegger and Derrida. Philosophy professors musn't be excluded from the hard life, after all!

The main thrust of *Radical Hermeneutics* can be summed up in a paragraph. (As the full title suggests, the author repeats his theme in endlessly varying forms.) Caputo contends that Heidegger's radical questioning of Being started, and Derrida has completed, the project of undermining the philosophy of presence which was the mistake of the two-thousand-year history of metaphysics. "Presence," in the deconstructionist vocabulary, refers to the names, like "idea," "essence" or "highest being," which philosophy has traditionally conferred upon reality in order to escape from the indeterminateness of the flux. The notion of an independently existing physical world of causality is, for Caputo, just another in a long line of attempts to fix material reality in compensation for the underlying flux of nothingness. The point of a radical hermeneutics, then, is to undermine the facticity of the world by incessantly questioning the motives which lead philosophers to assert presence. Caputo wants to show how Derrida's transformation of Heidegger's original insights will unleash the critical energy necessary to live in the abyss of nothingness and finitude:

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> What I mean by hermeneutics in its radicalized mode has all along been this willingness to stay in play, to stay with the flux, without bailing out at the last moment. Radical hermeneutics, on my reading, is the philosophy of *kinesis* . . . . Death as a futural possibility is not present or absent . . . . And authenticity consists in keeping alive that indefiniteness, that possible-who-knows-when, maybe-soon, maybe-now, that sense of walking on thin ice, without assurance, keeping the play in play, keeping the exposure to the abyss in play, without arresting or tranquilizing it. (198–99)

If this is the definition of radical hermeneutics, then it is easy to see that this a book about how to live (or not live) life, not about science or truth. Yet Caputo is intent upon mixing the two, in the same way as Hekman did, by combining thought and existence. Radical hermeneutics wants to break down all the concepts which give us the illusion that we have finally grasped reality, especially, he makes explicit, the reigning belief in science. Caputo implores us to remain "open to the mystery" of being where "the constructions of science grow dim and the cunning of common sense and the agility of *phronesis* go limp, where they wither away and lose their power" (269).

The salvation which Caputo's hermeneutics promises its readers is the most fascinating aspect of this book; Caputo's "post-metaphysical rationality" cries out for a "deconstruction" of its own unstated, religious, premises. As in all mystical philosophy, Caputo's version of hermeneutics encourages the initiated reader that a recognition of the illusory nature of the world will lead to a redemption from that world. After criticizing the millenarian aspect of Heidegger's philosophy—the project of recovering the original redemptive message sent by the pre-Socratic Greeks—Caputo praises Derrida for breaking with all apocalyptic and metaphysical redemption by positing the free flux of all signification. It is easy to see that this attempt to go beyond redemptive philosophy represents just another secularized version of eschatology; he celebrates the "emancipation of the signifier" with all the enthusiasm of an evangelical convert: "And that will make for free literature, free writing, free thought, free science, freedom from whatever you need" (171).

Radical Hermeneutics should not be read as representative of post-modern thought. Derrida and Heidegger would probably be horrified to see their work brought together with such cavalier frivolity. Yet Caputo has not entirely misrepresented the consequences of their ways of thinking. Far from defending hermeneutics, Caputo shows how the anti-Enlightenment strain of post-modern thought can indeed lead to

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a bewildering flight from reason into the dreamworlds of metaphysical desire.

Hermeneutics and the Enlightenment

Judging by Caputo's book one might think that post-modernism is just another version of Romanticism, but this would be misleading. Stanley Rosen's philological critique of post-modernism shows us, though not explicitly enough, that a right reading of the intellectual history of hermeneutics would stress the pivotal role played, not by Romanticism but by the Enlightenment in bequeathing to hermeneutics an expressivist and ultimately nihilistic politics of subjectivity. Post-modernism can be seen as a continuation of the Enlightenment in its German form, where the authorial powers once granted to God, having been discredited by French empiricism, are reconstituted in the formative powers of the human mind.

Hermeneutics as Politics contains an exasperatingly complex series of arguments which vacillate between sheer incomprehensibility and flashes of profound insight. The five chapters of the book are disconcertingly unconnected, as if, as I suspect, the author patched together a series of essays without worrying too much about the overall coherence of his narrative. Since Rosen explicitly places himself on the side of lucidity in prose, this must be regarded as a major weakness of the book.

In the first and the fourth chapters Rosen develops what is essentially a history of the hermeneutical tradition, emphasizing the key role which Kant's philosophy still plays in defining the contours of post-modern philosophy. The fourth chapter contains Rosen's main thesis, inasmuch as human nature was deemed by the Encyclopedists to be a myth to be replaced by scientific categories of understanding. As soon as this project was itself de-mystified by the historicists of the German Enlightenment (including post-Kantian Idealists), the door was left wide open, first for a philological hermeneutics, which historicized all understanding, and finally for an ontological hermeneutics, which collapsed individual subjectivity and world-as-text in a nihilistic synthesis. Post-modern hermeneutics reflects, for Rosen, late twentieth-century decadence and boredom, where truth is replaced by witty conversation and the endless play of signifiers which signify other signifiers.

The second and third chapters of the book are eminently unread-

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able. In the former, Rosen establishes himself as an initiate in the esoterics of "grammatology" by criticizing Derrida in an obfuscating style which pays high tribute to the murkiness of Derrida's own writing. The third chapter is a rambling and gossipy exposition on the contrasting philosophical careers of Kojève and Leo Strauss. In the final chapter, Rosen takes on Foucault, branding him as the ultimate, decadent post-modern. Foucault's ineffable politics, progressing from Maoism to the advocacy of human rights, turns out to be proof for Rosen that the politics of hermeneutics is an aimless will-to-power, a product of the failure of modern liberal democracies, and thus a factor in the self-destruction of bourgeois civilization. Since the author regards himself as a critical participant in the post-modern discourse, it is unclear whether or not he views this self-destruction as alarming or simply inevitable.

A profitable reading of this book would ignore the second and third chapters, and peruse the final one out of mere curiosity. The pearl of the volume is the brilliant fourth chapter, which ties together the rise of modern scientific thinking, biblical hermeneutics and post-Kantian philosophy in a manner which poignantly shows how the history of modern philosophy has led to a situation in which all thinking is hermeneutical thinking. The power of Rosen's argument is in his demonstration that we cannot get out of this dilemma by either ignoring hermeneutics or going back to empirical science as a model.

In what can only be summarized in capsule form, Rosen's central insights are the following. The founding of modern philosophy by Descartes dissolved the ancient distinction between theory and practice by "geometricizing" the world: man achieves mastery over the natural world by reconstituting nature as mathematical intuition. Descartes's philosophy represents a secularization of creation theology, because the book of nature is henceforth read as a product of the will-to-know of man. The final result of Cartesian doubting, the *ego cogitans,* can be thought of as a precursor of the transcendental ego of German Idealism because the domination of nature through mathematics uncovers, in Descartes's scheme, the equivalent of Aristotelian essences. Descartes's philosophy does not admit of a disjuncture between theory and interpretation because the subject and the object appear as one in geometrical intuition. In the French Enlightenment this monological scientific method yields truths about man and nature. But in the wake of the empiricist critique of the foundations of rationalism, when cracks begin to appear in the self-confidence of the Enlightenment, Hume's skepticism and Rousseau's subordination of sense

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to sensibility opened up the philosophical possibility that theories of nature are nothing more than fantastic creations of the mind, the products of imagination or custom and habit.

The attempts made by Kant, and later by Husserl, to protect the theory of knowledge from the vicissitudes of interpretation inevitably break down, Kant giving license to the idea that thought, produced by a priori and universal categories of the understanding, itself forms the world and that interpretations of the world are contingent upon the constructions of theory. Hegel historicizes Kant by incorporating the transcendental ego as a stage in the cumulative process of Spirit's self-knowledge. Marx undoes Hegel's Absolute by demonstrating that Idealism itself is a product of history. That this historicization of reason does not allow room for a return to pure empiricism is attested by the fact that even twentieth-century theories of cognition take the formal structures of reasoning to be created by human linguistic activity. Rosen claims that this holds true in science and mathematics as well, and he points to alternative algebras, non-Euclidean geometries, and the infinity of axiom systems as proof (153).[7]

The inescapability of theory transformed into interpretation is made explicit in modern hermeneutics, beginning with Heidegger. In *Being and Time* the everyday world is already constituted for *Dasein* in a pre-theoretical mode. Instead of de-contextualizing the external world, as analytic philosophers do, and asking how the subject comes to know the world, to have beliefs and desires, etc., Heidegger starts with the non-reflective facticity of already-being-in a world, and wants to illuminate how things take on significance for *Dasein* prior to conscious states. Meaning (*Sinn*) is a property of *Dasein,* not of things in the world. This is why the world can be considered as a text and why phenomenology considers subject/object philosophy to be a false start: ontology becomes hermeneutics. But Heidegger does not deny the facticity of the "real" world; in fact, *Dasein* couldn't bestow meaning on the world unless there was something there to begin with. His transformation of the world into a text, however, opens up the possibility that post-modern thinkers will collapse the distinction between ontology and the factual ontic world. If all *Dasein* does is interpret, it is in fact interpreting nothing, for all signification is erased by time. This, Rosen concludes, is the post-modernist point of departure:

> In the nineteenth century we learned, first from Hegel and then more effectively from Nietzsche, that God is dead. In the twentieth century, Kojève and his students, like Foucault, have informed us that man is

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> dead, thereby as it were opening the gates into the abyss of postanthropological deconstruction. As the scope of hermeneutics has expanded, then, the two original sources of hermeneutical meaning, God and man, have vanished, taking with them the cosmos or world and leaving us with nothing but our own garrulity, which we choose to call the philosophy of language, linguistic philosophy, or one of their synonyms. If nothing is real, the real is nothing: there is no difference between the written lines of the text and the blank spaces between them. (161)

Rosen's historical description of the origin and intellectual odyssey of the hermeneutical project is not so much a condemnation of post-modernism as it is an acute description of where we are and how we got here. Post-modernism is not merely another philosophical vantage point, but rather the *condition* in which we find ourselves in the late twentieth century. Rosen's diagnosis of this condition as the result of deterioration from inside the Enlightenment to decadence is, I think, compelling and accurate. It helps make clear why contemporary discourse on the social sciences is permeated by post-Kantian expressivist Idealism even when the language of that discourse is disguised as academic methodology.

Back to Verstehen*?*

The excesses of radical hermeneutics can and should be traced back to the divinization of man by the German Enlightenment in its zeal to restore to him a creative and spontaneous faculty as subject. But the critique of the subject which followed, with the realization that the appropriation of meaning is itself an act of creating meaning, cannot be undone by wishing post-modernism out of the world. If Austrian subjectivism is to be taken seriously, its advocates must confront the hermeneutical insight that the "subject" is not an ontological monad with private intentions and desires, but rather an historical being whose self-understanding is constituted by being-with-others in a world of shared meaning. It is not enough to rely on the praxeological principle that individuals attribute meaning to individual actions—Heideggerian phenomenology rightly points out that consciousness itself is an artificial construct which philosophers project back onto the world to describe actions, many of which are the product of a pre-theoretical life-world.

To return to Palmer's Austrian appreciation of Gadamer, the post-

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modern critique of objectivism, of which Gadamer is only a part, involves accepting much more than simply the premise that knowledge cannot be reduced to the consciously articulable. We have seen that hermeneutical inquiry considers the structures of human culture to exist in some way independently of conscious intent, but this does not mean that Austrian-school individual subjectivity remains intact in the process of creating those structures. For hermeneutics also emphasizes the way in which the subject is disarticulated from the products of his own expressions, and how meaning is inscribed in a linguistic code which remains open to constant reinterpretation.

Further, the appropriation of the past by an effective historical consciousness (*das wirkungsgeschichtliche Bewusstsein*) does not necessarily lead to a valorization of human institutions as products of the amassed wisdom of mankind, as Palmer claims. Since the historical horizons we intend to fuse depend on the standpoint of the observer, history can either legitimate or de-legitimate existing institutions. Hermeneutics can also unleash from history alternative and discordant discourses which undermine the stability of those which presently hold hegemony.

All of this might be seen as reason enough to brand hermeneutics as quite un-liberal. That would undo the great service which Palmer has done by making explicit affinities between hermeneutics and some aspects of liberal theory. Yet I have tried to show that hermeneutics is part of a much larger movement in current philosophical culture, and that this discourse proposes extremely troubling answers to the conventional questions of philosophy. There is an affirmative element in hermeneutics, but one cannot overlook that what is going on is a critique of the subject (even in Gadamer's *Truth and Method,* insofar as the subject is assimilated by a linguistic ontology). The transformation of theories of truth into interpretations of truth is, as I have emphasized, a symptom of modern culture, not a malicious concoction of ill-intended philosophers.

Conceding that does not mean buying the whole bag of goods. Decadent or not, the assault on truth and the proclamations of the death of man need not be regarded as the final word in the post-modernist debate. The misogynist Nietzsche once wondered aloud if the search for truth might not be like chasing women, which for him was a spurious pursuit. But despite the post-modern agreement with Nietzsche on epistemology, some of us are incorrigible if skeptical romantics who still pursue both love and truth.

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NOTES

1. Gerard Raulet, "The Agony of Marxism and the Victory of the New Left," *Telos* 55 (Spring 1985): 163–85.
2. The latest polemic in this vein has arisen over the question of deconstruction and Nazism, particularly in regard to Heidegger and the literary critic Paul de Man. Victor Ferias's very recently published book promises to demonstrate that Heidegger remained a card-carrying Nazi until 1945, longer than anyone had previously assumed. Habermas has recently criticized Heidegger, based on a reading of the Ferias manuscript, in his *Diskurs der Moderne* (Frankfurt, 1985), for remaining silent on the issue after the war. Habermas also sees internal links between *Sein und Zeit* and Nazi ideology. Finally, Jeffrey Mehlman infuriated literary critics indebted to Derrida in a recent article, "Writing and Deference: The Politics of Literary Adulation," *Representations* 15 (Summer 1986): 1–15, by tracing the origins of Derrida's grammatology to certain French Nazi collaborators.
3. Jean-Francois Lyotard, *The Post-Modern Condition*, trans. G. Bennington and Brian Massumi (Minneapolis: University of Minnesota Press, 1984), 37–41.
4. Lyotard, 47–53.
5. Tom G. Palmer, "Gadamer's Hermeneutics," CRITICAL REVIEW 1, no. 3 (Summer 1987): 105.
6. Charles Taylor, *Hegel and Modern Society* (Cambridge: Cambridge University Press, 1979), esp. 1–14.
7. Lyotard gives other examples from "metamathematical research" attesting to disturbing paradoxes which arise when scientists make exact statement-claims on the basis of classical determinism. See Lyotard's discussion of Gödel and Brillouin, 55 ff.

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G. B. Madison

POSTMODERN PHILOSOPHY?

One of the most widely discussed, and debated, topics of our time is postmodernism or postmodernity. One of the most salient features of this topic—if not the most salient feature—is the extremely widespread lack of agreement as to what it is all about. One writer has very appropriately remarked: "Every student of modern culture is evidently required to state a position on modernism and postmodernism, even though it is not clear what these words denote. They mean, it appears, whatever we want them to mean."[1] The terms do indeed mean different things to different people, to architects, writers, and philosophers, for instance. Since I am neither an architect nor a writer, I shall not attempt to speak for them. My concern here is simply to see if the meanings of these terms cannot be pinned down a bit as far as philosophy is concerned. Having said that, I should perhaps immediately add a parenthetical remark: I am fully aware of the fact that a prominent theme in much postmodern literature is that there is in fact no significant difference between philosophy and what now, thanks to postmodern writers such as Foucault and Barthes, is referred to as "literature";[2] that philosophers are in fact "writers"—specializing in a peculiar genre of fictional writing—that, in the words of Richard Rorty, philosophy is "a kind of writing."[3] And I imagine that there might well be some people who would want to say that philosophy is

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also a kind of architecture—having to do with the *archi-texture* of ideas; after all, a postmodern writer like the later Heidegger more or less identified *Denken* with *Bauen,* the thinker with the craftsman, and said that the language of philosophy is *das Haus des Seins.*

If it is true that the most philosophical of all philosophical questions is the question, "What is philosophy?" (a random survey of philosophers' writings would, I suspect, readily confirm as much), then the most fitting and thought-worthy (*Fragwürdig* [as Heidegger would say]) of philosophical questions in this postmodern era would be, "What is postmodern philosophy?" Again I should perhaps add parenthetically that I am fully aware of the fact that a prominent theme in much postmodern literature is that of the "end of philosophy." The end of Platonism, which is what postmodernism is all about, spells—in the eyes of some—the *end of philosophy.* I have no doubt that it spells the end of Philosophy (with a capital *P*); whether or not it spells the end of philosophy *tout court* is a question to which I would like to return. That having been said, let us nonetheless attempt to delineate some of the main traits of postmodern philosophy.

We should perhaps, at the outset, take note of the fact that one of the things postmodernism stresses is that there is in fact no such thing as the *proper* meaning of anything. The proper does not properly exist, *n'existe pas en propre, en tant que sa propre propriété.* The belief that it does (which is precisely one of the defining traits of traditional, modernist philosophy) is what I. A. Richards very appropriately labeled "The Proper Meaning Superstition." All meaning, postmodernism maintains, is diacritical (in Ferdinand de Saussure's terminology). What a thing (such as a word) *is* is simply its difference from those things which it is *not.* Each thing is, in itself, the other of everything that is other than it. This cardinal thesis of postmodern thought (which Derrida has exploited under the label *différance*) need not deter us from seeking a proper understanding of postmodernism; it can, actually, furnish us with a useful angle of approach. In order to ascertain the meaning of "postmodern" we have only to contrast it with "modern." What the former is would be a renunciation, an abandonment, a letting-go of everything the latter stood for and was concerned with. What, then, does "modern" mean, philosophically speaking? The answer to this last question is, fortunately, readily available. "Modern philosophy," as this term is generally used in English-language textbooks of the history of philosophy, denotes that movement of thought which originates with Descartes and which has perpetuated itself up to and into the twentieth century. The term has definite connotations as well:

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What it connotes are all the concerns which were constitutive of modern philosophy.

Basically, these concerns were of a dual nature: epistemological and foundationalist.[4] What characterizes above all that form of the logocentric metaphysics of presence known as modern philosophy is that it seeks to realize philosophy's traditional goal of achieving a basic, fundamental knowledge (*episteme, Wissenschaft*) of what is (*ta onto*) by turning inwards, into the knowing subject itself (conceived of either psychologistically or transcendentally), where it seeks to discover grounds that will allow for *certainty* in our "knowledge" of what, henceforth, is called "the external world." As I have elsewhere expressed the matter,[5] the methodological conviction of the modern philosopher is that he may come to know truly that reality which is only indirectly present (re-presented) to him by the senses, if only he can succeed in ordering his own "ideas" (*cogitationes*) in accordance with the unquestionable laws of logic (*vide,* for instance, Leibniz's *ars combinatoria*). If only he can string his (subjective) ideas together in the right way, the result will (supposedly) be that they will form a true *representation* or likeness of "objective" reality. In sum, *representationalism* has been the name of the game from Descartes up to our twentieth-century positivists and analysts. As Heidegger observed in his essay "The Age of the World Picture," the two ontological characteristics of modernity are, on the one hand, the world's becoming a *picture* or representation and, on the other hand, man's becoming a representing *subject* in the midst of objects.[6] Or, in Merleau-Ponty's phraseology, man becomes a *kosmotheoros,* a pure Spectator, at the same time that the world becomes *le Grand Objet*.[7]

The two great theoretical by-products of modern, epistemologically-centered philosophy are, therefore, the notions of subjectivity and a fully objective, determinate world—the essential business of the "knowing subject" ("man") being that of forming true "representations" of so-called objective reality. Accordingly, the end of modernism means (as Rorty for one has remarked) the end of epistemologically-centered philosophy. It means the end of what modernism understood by the "subject," and it means as well the end of the "objective world" (a world which is fully what it is in itself and which simply waits around for a cognizing subject to come along and form a "mental representation" of it).

If postmodernism means the end of modernism, then it could no doubt be said that what postmodernism is all about is nothing other than the immense debate—in which, as a matter of fact, we now find

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ourselves—as to what we are left with after the demise of the epistemological subject and the objective world—after the demise of the very ideas of "knowledge" and "truth" (the "true representation of objective reality"). A question of particular importance concerns the very notion of the subject. Does the death of the epistemological subject mean the demise of the subject (a key, indeed, crucially central notion in phenomenology) in all respects?[8] A number of postmodern writers seem, if anything, overeager to respond to this question in the affirmative.

The Death of the Subject

This is a question I would myself like to address, but, before doing so, it might be well to pause to tell a story. A story which is, actually, merely the story of a story—the story of the history of postmodernism, at least as far as philosophy is concerned. The story runs as follows. While in the Anglo-American world the beginning of the end of modernism has only begun to be made with the emergence of what has now come to be referred to as "postanalytic philosophy,"[9] the beginning of the end of modernism began much earlier on the Continent. One thinks naturally of Nietzsche's devastatingly deconstructive critique not only of modernity (he said of *Beyond Good and Evil* that it "is in all essentials a *critique of modernity*"[10]) but of the entire metaphysical-Platonic tradition ("*P*hilosophy," in Rorty's sense of the term). Nietzsche is indeed the great "prophet of extremity,"[11] but, as is generally the case with prophets, his message at the time fell on ears which were mainly deaf. Were one seeking to elaborate a grand narrative (I am fully aware of the fact that a postmodernist like Jean-François Lyotard rejects, in the name of postmodernism, all *grands récits*), Nietzsche's place in this *récit* would have to be dictated not by chronology but by his effective history (as Gadamer would say), the history of his effects, his influence. Nietzsche makes his effective entry into the history of postmodernism only with Heidegger's problematic reading of him and with the cult erected in his honor by Gilles Deleuze and other French post-Merleau-Pontyean Nietzscheans.

Thus, the real beginning of philosophical postmodernism in the academic world, in the realm of institutionalized philosophy, must be looked for elsewhere. It cannot be denied—for those of us who have read him with attentive ears (ears sensitized by our exposure to phenomenology)—that William James's Pragmatism was a genuine begin-

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ning. James's whole philosophical endeavor amounted to a sustained attack on modern representationalism and the epistemological "myth of the given," which his Pragmatism effectively deconstructed—long before subsequent analytical philosophers decided to have a go at it.[12] Unfortunately, James's beginning was a beginning without a sequel and without an effective history; his radical critique of epistemological philosophy was destined to be ignored, thanks to the metaphysical positivism and philosophical analyticism which later occupied center stage in America and which managed to obliterate all traces of his precocious postmodernism and, along with it, the one uniquely valuable philosophical contribution on the part of America to "the conversation of mankind." It is really only in our own time that James makes his entry onto the stage of postmodern history, thanks to his "rediscovery" and promotion by, on the one hand, various phenomenological writers[13] and, on the other, the renewed life that Richard Rorty has given to Pragmatism.

Where then shall we locate the beginning, both genuine and real, of postmodern philosophy? Actually, there is only one serious candidate for this position. There is only one beginning which inaugurated an effective and *continuous* history; this is the beginning that was begun in 1900, the year of Nietzsche's death, with the publication of the *Logical Investigations* by Edmund Husserl. Any detailed history of postmodern philosophy would have to begin here, with a sorting out of what is new and what is old in Husserl's creative reappropriation of the Tradition. This would by no means be an easy task, but what this historical inquiry would nonetheless show, I maintain, is that Husserl effectively deconstructed both the "epistemological subject" and the "objective world." A decisively crucial move in this direction occurred as early as 1907 with the five lectures Husserl delivered in Göttingen from April 26 to May 2 and which were subsequently published (in 1950) by Walter Biemel under the title *Die Idee der Phänomenologie*. In these lectures Husserl sought to achieve, with the aid of the celebrated "phenomenological reduction," a decisive overcoming of what his French translator, Alexandre Lowit, has called "*la situation phénoménale du clivage*," in other words, the subject/object split which is at the origin of modern philosophy.[14]

Let us listen for a moment to a voice from the past, that of Ludwig Landgrebe, one of Husserl's late assistants. In an essay with the revealing title "Husserl's Departure from Cartesianism," Landgrebe said that Husserl's abandonment of Cartesian modernity "is a reluctant de-

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parture insofar as Husserl had wished to complete and fulfill this tradition without knowing to what extent his attempt served to break up this tradition."[15] Speaking of Husserl's *Idee,* Landgrebe went on to say: "It is therefore a moving document of an unprecedented struggle to express a content within the terminology of the tradition of modern thought that already forsakes this tradition and its alternatives and perspectives."[16] Developing this theme more fully, Landgrebe wrote:

> . . . here, before the eyes of the reader, occurs the shipwreck of transcendental subjectivism. . . . Today, primarily as a result of Heidegger's work, the "end of metaphysics" is spoken of as if with a certain obviousness. We shall first properly understand the sense of such language if we follow closely how, in this work, metaphysics takes its departure behind Husserl's back. One can state quite frankly that this work *is* the end of metaphysics in the sense that after it any further advance along the concepts and paths of thought from which metaphysics seeks forcefully to extract the most extreme possibilities is no longer possible. To be sure, neither Husserl nor those who were his students at that time were explicitly aware of this, and it will still require a long and intensive struggle of interpretation and continuing thoughtful deliberation until we have experienced everything that here comes to an end.[17]

Were we to undertake a detailed history of the phenomenological movement, such as Herbert Spiegelberg has done so expertly, but, this time, from a deliberately postmodernist perspective, we would discover that the history of the phenomenological movement in the twentieth century—from Heidegger and Merleau-Ponty through Gadamer and Ricoeur—has been nothing other than an attempt "to extract the most extreme possibilities" from Husserl's own phenomenological deconstruction ("reduction") of the epistemological problematic. What today goes under the heading of philosophical or epistemological hermeneutics amounts to a radical challenge to modern, objectivistic (as well as subjectivistic) thinking—in the spirit of Husserl's own radical inquiries, especially those archeological-genealogical investigations into the covered-over depths of the modern consciousness that he undertook late in his life in *The Crisis of European Sciences and Transcendental Phenomenology.*

If, as Habermas has done in a recent work, we were to locate one of the defining traits of the postmodern critique of modernity in the critique of "a self-sufficient subjectivity that is posited absolutely,"[18] in the critique of the "philosophy of the subject," the "philosophy of

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consciousness," then one of the main plot lines to be developed in a postmodern historical reinterpretation of the phenomenological movement would consist in showing how successive phenomenological writers have all sought, in one way or another, to break out of the enchanted circle of immediately given consciousness and even of lived experience itself (*Erlebnis, l'expérience vécue*). In doing so they may (as in the case of Heidegger) have ended up by breaking with Husserlian phenomenology altogether, or (as in the case of Merleau-Ponty) they may have pursued their attempts at overcoming a philosophy of mere consciousness by way of a radicalization of the Husserlian project itself.[19] The transition from existential phenomenology to hermeneutical phenomenology is simply a further step in the on-going "transformation of the concept of the subject" (Ricoeur). As Ricoeur says, "the indirect understanding of oneself implied by the hermeneutic act rejects the intuitionism of a philosophy founded on the *cogito,* with its claim to constitute itself in self-sufficiency and consistency, and attests the dependence of its meaning on the meaning of what it understands outside itself."[20] In any event, all of this was, interpretively speaking, made possible by Husserl's own archeological discovery of the prereflective, anonymously given, historical *life-world,* which in effect (and without Husserl's having so intended) delivered a mortal blow to the world-constituting, quasi-substantial, transcendental Ego (the sphere of "absolute being") that Husserl had inherited and, despite some initial reluctance,[21] taken over on his own account from his modernist predecessors.[22]

Phenomenological hermeneutics is not, to be sure, the only philosophical actor on the present-day postmodern scene engaged in contesting the "metaphysics of presence" and the "consciousness" (the "epistemological subject") of modern philosophy and in doing battle with what Ricoeur would call the "illusions of the subject." It has as a matter of fact to compete with a whole host of other voices belonging to that multifaceted body of thought/writing which, for want of a better term, is generally referred to as "poststructuralism": Foucault, Lyotard, Lacan, Deleuze, Barthes, Derrida, etc. One thing that this otherwise diverse group of writers have in common is their vehement hostility towards phenomenology. Phenomenology, even in its hermeneutical versions, they would have us believe, is still mired in modern subjectivism. Phenomenologists, they would likely say, using a Nietzschean expression, are but "the last metaphysicians." Derrida's tendentious caricatures of hermeneutics are as good an example as any of this current in postmodern thought.[23]

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Nihilism and Postmodernism

When one takes into account all of these diverse and sometimes antagonistic developments in postmodern thought[24] then, as I said earlier, it would seem that one major thing that postmodernism is all about is the dispute as to where we find ourselves when we leave behind (as all postmodernists wish to do, phenomenological and anti-phenomenological alike) the metaphysical, modern ideas of "knowledge" and "truth." At this point in our story Nietzsche's shadow looms large indeed. He himself set the agenda for our postmodern times. He himself provided the term which designates the crucial issue which none of us can avoid: *nihilism*.

What exactly is the nihilism that Nietzsche not only described but also, with uncanny clairvoyance, prophesied when he announced: "I describe what is coming, what can no longer come differently: *the advent of nihilism*"?[25] In his posthumously published reflections on European nihilism Nietzsche wrote:

> The feeling of valuelessness was reached with the realization that the overall character of existence may not be interpreted by means of the concept of "aim," the concept of "unity," or the concept of "truth." Existence has no goal or end; any comprehensive unity in the plurality of events is lacking: the character of existence is not "true," is *false*. One simply lacks any reason for convincing oneself that there is a *true* world. Briefly: the categories "aim," "unity," "being" which we used to project some value into the world—we *pull out* again; so the world looks *valueless*.[26]

If, as Nietzsche says, nihilism means the demise of the categories of *aim, unity,* and *truth* or *being*—these are, let us not forget, the foundational concepts of the philosophical project itself, the total demise of which would indeed spell the end of philosophy—then the signs of an increasingly rampant nihilism are today everywhere apparent. One has only to think of the rejection not only of the notion of teleology ("aim") as regards history (a notion which cannot, obviously, survive in a postmodern age; the end of metaphysics spells the end of "the end of history") but the rejection as well of the Enlightenment or, for that matter, Sophistic notion of progress or progressivity ("meta-narratives," as Lyotard derisively refers to them).[27] One has also only to think of the widespread current apologias, in the Anglo-American world above all, for cultural relativism and the rejection of the idea of "universal commensuration" ("unity"). There is also, coming from

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the quarter of certain disseminating circles, the abandonment of the notion of "truth" in textual interpretation and, indeed, the very notion of an *hors-texte* (i.e., "being"). All these are so many current postmodern themes which are thoroughly nihilistic in spirit if not in intent.

In this paper I cannot show in detail how it would be possible for a sane or sober postmodernism (a postmodernism, that is, of a hermeneutical sort) to avoid the pathological excesses of an all-out antimodernist, anarchistic nihilism, nor can I write a detailed history of our postmodern times, a history which, like all genuine histories ("stories"), would have a positive and uplifting message to deliver. There are, for one thing, just too many different stories, as well as too many different versions of the "same" story, that would have to be told in order to produce the grand narrative. "In fact, looking in perspective at everything I am leaving out of the main narration,"—I am tempted to say with the words of Italo Calvino—"I see something like a forest that extends in all directions and is so thick that it doesn't allow light to pass: a material, in other words, much richer than what I have chosen to put in the foreground this time."[28] This being so, I would simply like to present my reader with a suggestion for his or her own narratizing, with a hermeneutical "strategy" or "protocol" for reading, i.e., interpreting, the signs of our postmodern times. What I wish to suggest is that a highly profitable way of sorting things out and arriving at a proper understanding of the various operant trends in postmodernity and, above all, their *significance,* would be to assess them with regard to the nihilism issue. If we desire to understand ourselves better, then we must understand where and how we stand now and what the options are that are open to us (having rejected all of the traditional options of the metaphysics of consolation), and we must elaborate the philosophical (i.e., theoretical) means of accomplishing this task. This is perhaps the greatest challenge of all for those who would like to work out a genuinely postmodern *philosophy,* that is, a form of thinking which would be something more than an intellectual excuse for embracing with anarchistic "joyfulness" "the innocence of becoming," errant "dissemination," the unprincipled "mittences" [*Geschicke*] of Being, the pointlessness of our effective history, or, for that matter, a relativistic, easy-going, laissez-faire "ethnocentrism" or "provincialism."

There are accordingly, on the postmodern agenda, a number of questions calling for on-going debate and discussion. Questions such as: Does philosophical postmodernism necessarily entail a nihilistic,

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iconoclastic reductionism, as a defender of the Enlightenment tradition of reason such as Jürgen Habermas seems to think? Does postmodernism necessarily entail a complete abandonment of the universalist claims of philosophical reason, an abandonment of history, of the subject, of truth, of "being"? Are we inevitably forced, when we embark on a radical critique of modernity, to say, as Barthes did, that the subject or the *I* is *nothing but* "the instance of saying *I*" and that this subject is "empty outside the very enunciation which defines it"?[29] Are we forced to say that the world is *nothing but* a "sign-world," to use Nietzsche's expression, i.e., merely a semiological construct, a mere signifier signifying only itself? Or, on the contrary, would it be possible, in a genuinely postmetaphysical spirit, to work out a philosophy which would be fully postmodern but which would also be such as to enable us to overcome *both* modern objectivism *and* postmodern relativism (to allude to a recent work of Richard Bernstein)?[30]

There are even more questions that press in on us, of which perhaps the most crucial of all is: Does the death of "man," i.e., the transcendental-empirical doublet (as Foucault would say) of modern philosophy—the "epistemological subject"—mean that postmodern philosophy must necessarily be an *anti-humanism*? Anti-humanism is perhaps one of the most pervasive traits of postmodernism, outside of the hermeneutical camp. Although Heidegger told us that humanism is a relic of the metaphysics of presence that must be abandoned if we are to receive a genuine revelation from Being (which in his case assumed at one point the form of "mittences" from the Führer of the Third Reich), is it hopelessly the case that nothing from the great Western tradition of *humanitas* and civil humanism can be salvaged and inspire us after the death of metaphysics? Or is it not rather the case, regrettable though it be, that we are condemned, in these postmodern times, to a merely deconstructive busy-ness, to a state of complete uncertainty ("undecidability") as to where we stand (if anywhere), whether still within or already outside of the metaphysical closure—while all the meantime waiting around for (yet another) saving god to appear on the horizon?[31]

Such are some of the questions which press in upon one when one contemplates the signs of the times. The only decisive answers to these questions are of course the answers that history itself will eventually provide us with. As much as I would like to write the history of postmodern times, I cannot, since too much remains still to be said, and so I am restricted to tracing tentative sketches, in the hope that time itself will eventually fill them out in a decisive way. History will

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have its say, as it always does, after we have had ours, and what it says will be as decisive as it is unforeseeable. There is, nonetheless, one question which we ourselves are in a position to answer here and now, and in a decisive way. This is the question concerning the end of philosophy. Is philosophy at its end or fast approaching it? As long as we continue to engage in a reflexive self-interrogation of the sort we are engaged in at the present moment, inquiring into the meaning of our postmodern times, we shall not have to wonder if philosophy is or is not at its end. The reason for this is quite simple. An activity on the part of the human subject of a sort such as this is, in fact, nothing other than what is meant by "philosophy." Such is indeed the defining characteristic of a non-dogmatic, *zetetic* philosophizing which, while it is under no illusions as to the possibility of attaining to a final truth or interpretation of what-is,[32] is yet firmly committed to the idea that "the unexamined life is not worth living"—that the very meaning of human life is to be found in the interpretive interrogation of its meaning. Postmodern philosophy is, to use Merleau-Ponty's words, a kind of "*question-knowing,* which by principle no statement or 'answer' can go beyond and which perhaps therefore is the proper mode of our relationship with Being, as though it were the mute or reticent interlocutor of our questions."[33] Philosophy is, to speak like Hegel, its own times reflexively understood, but this does not mean—as Hegel is generally thought to have meant—that philosophy is merely a passive copying of what is simply already there ("science" in the traditional sense).[34] For understanding itself, as hermeneutics insists, is never just a matter of passive reproduction but always involves an active reinterpretation of the "given." Understanding something is a matter of making it understandable, i.e., interpreting it.

In actively seeking by means of philosophical reflection to understand itself better, in relation to its times and its cultural tradition, the human subject—let us note well—is thereby revealed to itself as something that is, if not metaphysically given, at least existentially undeniable, for it is precisely in such a reflexive, philosophical interrogation that the subject constitutes itself *as a subject,* in, as Husserl might moreover say, the unity of a *Geschichte*. The essence of human subjectivity, as philosophy has always maintained ever since the time of Socrates and the Sophists, is rational self-enlightenment. Curiously enough, Derrida's antihumanist attacks on the notion of the "subject" confirm this very subject in its ownmost being,[35] just as the deconstructive critique of the metaphysical illusions of modernity reaffirms in its own underhanded (and self-undermining) way the vocation of philosophy as a struggle for enlightenment (or, at the very least, dis-illusionment).

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The History of Philosophy

In *Human, All Too Human* Nietzsche wrote: "There are *no eternal facts,* just as there are no absolute truths. Consequently what is needed from now on is *historical philosophizing,* and with it the virtue of modesty."[36] Philosophy, we could say, becomes postmodern when it abandons its search for eternal verities and becomes historical. What that means—that philosophy becomes historical—is, of course, the decisive question, one which, as Montaigne would say, "*est subject à une longue interprétation.*" The novelist Joyce Carol Oates is reputed to have said, "History is the only true philosophy." An end-of-Philosophy relativist such as Richard Rorty (who, as is well known, after having effected in his own person the transition from modernist, analytical philosophy to postmodernism, resigned his chair in philosophy to become a professor of humanities) might well concur in his own way with this assessment. In the postmodern era, Rorty seems to be telling us, philosophy can amount to no more than a clever recounting of its own history, a playful retelling of what the great dead philosophers (who rather naïvely thought that they were saying something which might actually be true) have said. These retellings themselves may seek to be "interesting," but they cannot lay claim to truth. The postmodern philosopher can aspire to no higher status than that of an "intellectual dilettante" or "kibitzer." After the end of *P*hilosophy, philosophers can no longer engage in fundamental critique, nor presume to legislate for the future, nor, as they have traditionally done, seek to arbitrate between conflicting truth claims (mediating what Ricoeur refers to as "the conflict of interpretations").

To be sure, when philosophy becomes "historical" it renounces all claims to be metaphysical, transhistorical, absolute truth.[37] Does this mean, as Stanley Rosen suggests, regretting a simpler age when everything had a well-defined nature of its own (*en propre*), with philosophy thereby reduced to an aestheticizing "rebellion against truth"?[38] Does it mean that an uncompromisingly postmetaphysical philosophy has necessarily to renounce the very idea of truth, the idea of being, in Foucault's words, "the discourse of truth"? That it has to renounce all attempts at being a *determining* voice in what is and what *will have been*? The future past perfect is, let us not forget, *the realm of history in the making.* It could therefore just as easily be said that when philosophy becomes "history," history, thereby and by the same token, becomes the field for the effective realization of philosophy, of, that is, human freedom and creativity, of that which, as a result of reasoned argument, humans believe *ought* to be the case. History, Vico main-

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tained in his disputes with Cartesian modernity, is something that we can understand—can know in its truth—precisely because it is something that we have made. The truth that "historical philosophizing" can lay claim to is not speculative but practical, which does not make it any less a genuine form of truth. Rosen is right (abstracting from his reasons for saying so) when he says: "Every hermeneutical program is at the same time itself a political manifesto or the corollary of a political manifesto."[39] With the abandonment of metaphysical hubris, truth ceases to be a mirroring description of the way things "really are in themselves" and becomes a guide and plan for *action,* of a transformative and emancipatory sort. Theory, postmodernism maintains, is always the theory of a certain practice, and is, therefore, invariably "political."[40] Thus, one thing that philosophy's becoming historical need not mean, even in a postmodern, postmetaphysical age, is that philosophy need renounce its ideal of writing and rewriting, which is to say, of making and remaking history in its own image, in the light of what it holds to be a universal *value*—such as, in the case of Gadamer, the progressive attempt to achieve ever greater freedom in the realm of actual, concrete reality.[41] In the last analysis, history is nothing other than the way in which human beings have creatively, and without finality, reinterpreted that which they had no hand in choosing in the first place and, in so doing, have made themselves to be what they actually are, have come into their humanity, into the truth of their historical being.

NOTES

1. Denis Donoghue, "The Promiscuous Cool of Postmodernism," *The New York Times Book Review,* June 22, 1986: 1.
2. By "literature" Barthes meant a language which says nothing other than itself, which is dense and opaque, and which expresses neither "facts" nor "thought" nor "truth."
3. See Richard Rorty, "Philosophy as a Kind of Writing: An Essay on Derrida" in Rorty, *Consequences of Pragmatism* (Minneapolis: University of Minnesota Press, 1982).
4. See Charles Taylor, "Overcoming Epistemology," in K. Baynes, J. Bohman, and T. McCarthy, eds., *After Philosophy: End or Transformation?* (Cambridge, Mass.: MIT Press, 1987).
5. See my essay "The Philosophic Centrality of the Imagination: A Postmodern Approach" in Madison, *The Hermeneutics of Postmodernity: Figures and Themes* (Bloomington: University of Indiana Press, 1988).
6. See Martin Heidegger, *The Question Concerning Technology and Other Essays* (New York: Harper and Row, 1977), 127–28.

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7. See Maurice Merleau-Ponty, *The Visible and the Invisible,* trans. A. Lingis (Evanston, Ill.: Northwestern University Press, 1968), 15.
8. For a treatment of this issue see Calvin O. Schrag, *Communicative Praxis and the Space of Subjectivity* (Bloomington: Indiana University Press, 1986). For a treatment of the issue with reference to Paul Ricoeur's handling of it see my essay "Ricoeur and the Hermeneutics of the Subject" in Madison, *The Hermeneutics of Postmodernity.*
9. See J. Rajchman and C. West, eds., *Post-Analytic Philosophy* (New York: Columbia University Press, 1985).
10. Friedrich Nietzsche, *On the Genealogy of Morals/Ecce Homo,* trans. W. Kaufmann (New York: Vintage Books, 1969), 310. The passage is from *Ecce Homo.*
11. See Allan Megill, *Prophets of Extremity: Nietzsche, Heidegger, Foucault, Derrida* (Berkeley: University of California Press, 1985).
12. For a representative text in this regard, see James's *Pragmatism: A New Name for Some Old Ways of Thinking.* This as well as other important texts of James's mature period is now available in the fine, new (and long overdue) edition of his writings: *William James: Writings 1902–1920* (New York: The Library of America, 1987).
13. See for instance: Hans Linschoten, *On the Way Toward a Phenomenological Psychology: The Psychology of William James* (Pittsburgh: Duquesne University Press, 1968); John Wild, *The Radical Empiricism of William James* (New York: Doubleday, 1969); Richard Stevens, *James and Husserl: The Foundations of Meaning* (The Hague: Martinus Nijhoff, 1974); James M. Edie, *Williams James and Phenomenology* (Bloomington: Indiana University Press, 1987).
14. See Lowit's excellent remarks in the preface to this translation of Husserl's *L'idée de la phénoménologie* (Paris: Presses Universitaires de France).
15. Ludwig Landgrebe, "Husserl's Departure from Cartesianism" in R. O. Elveton, ed., *The Phenomenology of Husserl* (Chicago: Quadrangle Books, 1970), 260.
16. *Ibid.,* 260–61.
17. *Ibid.,* 261.
18. See Jürgen Habermas, *The Philosophical Discourse of Modernity,* trans. F. Lawrence (Cambridge, Mass.: MIT Press, 1987), 41–42.
19. In Habermas's reading of the history of postmodernity, Heidegger's attempts to extricate himself from Husserlian transcendentalism and modern subjectivism have only for their result "a flight into the immediacy of mystical ecstasy" (*The Philosophical Discourse of Modernity,* 137). For a detailed examination of Merleau-Ponty's radicalization of Husserlian phenomenology, see G. B. Madison, *The Phenomenology of Merleau-Ponty: A Search for the Limits of Consciousness* (Athens: Ohio University Press, 1973).
20. Paul Ricoeur, *Main Trends in Philosophy* (New York: Holmes and Meier, 1979), 369.
21. See in this regard the very revealing remarks of Husserl in *Logical Inves-*

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tigations, trans. J. N. Findlay, vol. II (London: Routledge and Kegan Paul, 1970), 549 and note. In contrast to Husserl's "hesitation," indeed, his backsliding, on this issue, James confronted the issue of consciousness head-on, thoroughly deconstructing it in the process (see his essay "Does Consciousness Exist" in *Essays in Radical Empiricism*). Later phenomenologists such as Sartre (*La transcendence de l'ego*) and Aron Gurwitsch ("A Non-egological Conception of Consciousness" in Gurwitsch, *Studies in Phenomenology and Philosophy* [Evanston, Ill.: Northwestern University Press, 1966]) sided with James against Husserl. At no time did the French wing of the phenomenological movement (Sartre, Merleau-Ponty, Ricoeur) see much phenomenological usefulness in Husserl's notion of "hyletic data," an unnecessary concession, in their eyes, to psychological "immanentism."

22. See, for further remarks on the subject, my essay "Husserl's Hermeneutical Contribution to the Explanation/Understanding Debate" in Madison, *The Hermeneutics of Postmodernity.* It is true that Husserl's link to hermeneutics is not apparent to everybody. Stanley Rosen for one remarks (in his typically straightforward manner): "All talk of 'phenomenological hermeneutics' that attempts to derive its justification from Husserl rather than Heidegger is surely incoherent." (Stanley Rosen, *Hermeneutics as Politics* [New York: Oxford University Press, 1987], 167.) In saying this, Rosen puts himself in the same bed with Rorty, his arch-rival, who failed to see that if there was any philosopher in the twentieth century who did more to deconstruct the modernist "epistemological" paradigm and, in so doing, paved the way for what Rorty approvingly calls "hermeneutics," it was Husserl. The "incoherence" Rosen alludes to is a surface phenomenon; it disappears when we realize that phenomenological hermeneutics derives from Husserlian phenomenology not by way of the authorial intention of the founder but through the subversion that his works effect in regard to this intention (which, it is true, remained steadfastly "metaphysical" in spirit). What made hermeneutics possible was the way in which Husserlian phenomenology (to use Ricoeur's words) "undermined its own guiding idea in the very attempt to realize it." (See Ricoeur, "On Interpretation" in Alan Montefiore, ed., *Philosophy in France Today* [Cambridge: Cambridge University Press, 1983].) In developing to the limit the anti-metaphysical themes latent in Husserl's own philosophical project, hermeneutics stands as a living memorial to (to use Ricoeur's words) Husserl's "tragic grandeur."
23. For further remarks on the subject see the following essays of mine: "Beyond Seriousness and Frivolity: A Gadamerian Response to Deconstruction" in Madison, *The Hermeneutics of Deconstruction,* and "Gadamer/Derrida: The Hermeneutics of Irony and Power," to be published in D. Michelfelder and R. Palmer, eds., *Dialogue and Deconstruction: The Gadamer-Derrida Encounter* (Albany: SUNY Press).
24. For a survey of some of the main trends in postmodernism see the General Introduction to K. Baynes, et al., eds., *After Philosophy.*

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25. Friedrich Nietzsche, *The Will to Power,* trans. W. Kaufmann and R. J. Hollingdale (New York: Vintage Books, 1968), 3.
26. *Ibid.*, 13.
27. The notion of progress, correctly understood, is anti-metaphysical in its very nature; it is a notion we owe to the first genuine antimetaphysicians, viz., the Sophists. In *A Dictionary of Political Thought* (New York: Harper and Row, 1982) Roger Scruton very correctly remarks:

> The sophists were noteworthy for their belief in progress. The sophists have sometimes been taken as the archetypal 'liberators', those who induce in their hearer the confidence in human capacities, and the confidence to make the world anew. (440)

For an attempt to rehabilitate the Sophists in regard to their counter-traditional (anti-metaphysical) significance, see G. B. Madison, *Understanding: A Phenomenological-Pragmatic Analysis* (Westport, Conn.: Greenwood Press, 1982).
28. Italo Calvino, *If on a Winter's Night a Traveller,* trans. W. Weaver (New York: Harcourt, Brace, Jovanovich, 1981), 109.
29. See Roland Barthes, "The Death of the Author" in Barthes, *Image, Music, Text* (New York: Hill and Wang, 1984), 145, and, for further discussion, my essay "The Hermeneutics of (Inter)Subjectivity, or: The Mind/Body Problem Deconstructed," *Man and World* 21 (1988): 3–33, reprinted in Madison, *The Hermeneutics of Postmodernity.*
30. See Richard Bernstein, *Beyond Objectivism and Relativism* (Philadelphia: University of Pennsylvania Press, 1983).
31. The American colloquial expression "stay loose" (as opposed to uptight) is, Allan Bloom tells us, a translation of Heidegger's *Gelassenheit.* See Bloom, *The Closing of the American Mind* (New York: Simon and Schuster, 1987), 152.
32. "The very idea of a definitive interpretation seems to be intrinsically contradictory. Interpretation is always on the way. . . . The word *interpretation* points to the finitude of human being and the finitude of human knowing." Hans-Georg Gadamer, *Reason in the Age of Science,* trans. F. Lawrence (Cambridge, Mass.: MIT Press, 1981), 105.
33. Maurice Merleau-Ponty, *The Visible and the Invisible,* trans. A. Lingis (Evanston, Ill.: Northwestern University Press, 1968), 129.
34. See in this regard the very significant remarks of Alexandre Kojève in "La dialectique du réel et la méthode phénoménologique chez Hegel," an appendix to Kojève, *Introduction à la lecture de Hegel* (Paris: Gallimar, 1947). According to Kojève, Hegel's philosophy meets the highest demands of Husserlian phenomenology, in that it is a *descriptive science:* "en lui-même le discours hégélien n'a rien de dialectique: ce n'est ni un dialogue, ni une discussion; c'est une pure et simple description 'phénoménologique' de la dialectique réelle du Réel . . ." (466).
35. See in this regard Calvin Schrag's remarks (backed up by Derridean texts) in Schrag, *Communicative Praxis and the Space of Subjectivity,* 10–11. See

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also Schrag, "Subjectivity and Praxis at the End of Philosophy" in H. Silverman and D. Ihde, eds., *Hermeneutics and Deconstruction* (Albany: SUNY Press, 1985), 26.

36. Friedrich Nietzsche, *Human, All Too Human,* trans. R. J. Hollingdale (Cambridge: Cambridge University Press, 1986), 13.
37. "The gesture of hermeneutics is a humble one of acknowledging the historical conditions to which all human understanding is subsumed in the reign of finitude. . . . Between absolute knowledge and hermeneutics, it is necessary to choose." Paul Ricoeur, *Hermeneutics and the Human Sciences* (Cambridge: Cambridge University Press, 1981), 87, 193.
38. See Rosen, *Hermeneutics as Politics,* 138.
39. *Ibid.,* 141.
40. For an attempt to spell out some of the implications of the postmodern rejection of metaphysical reason for political theory, see G. B. Madison, *The Logic of Liberty* (Westport, Conn.: Greenwood Press, 1986).
41. See, *inter alia,* the remarks of Gadamer in Gadamer, *Reason in the Age of Science,* trans. F. Lawrence (Cambridge, Mass.: MIT Press, 1981): "There is no higher principle of reason than that of freedom. Thus the opinion of Hegel and thus our own opinion as well. No higher principle is thinkable than that of the freedom of all, and we understand actual history from the perspective of this principle: as the ever-to-be-renewed and the never-ending struggle for this freedom." (9)

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David Boonin

COMPETITION AND CAPITALISM

NO CONTEST: THE CASE AGAINST COMPETITION
by Alfie Kohn
Boston: Houghton Mifflin, 1986. 257 pp., $16.95

No Contest, Mr. Kohn's publisher boasts, is "the first book to argue that competition is inherently destructive." Well, yes and no. Karl Marx, after all, had a word or two to say on the subject, and the spirit of civic cooperation which Mr. Kohn urges can trace its roots back at least as far as Aristotle. Still, in the context of contemporary political debate, there is something undeniably refreshing about this book. Competitiveness has become a buzzword for the 1980s, and even the harshest critics of capitalism now attack it largely for failing to be competitive enough. Viewed against this somewhat bland backdrop, Kohn's heresy can truly be appreciated. Eschewing half-hearted evasion and parenthetical hedging, he enthusiastically persists in a straightforward and occasionally insightful attack on one of our most deeply-cherished beliefs: the desirability of competition. Kohn clearly views his project as a radical critique of American society, and this is certainly what it at first seems to be. As the book unfolds, however, its significance becomes less and less clear. It is therefore worth briefly outlining what Kohn says about competition before trying to figure out why, exactly, he says it.

Winners vs. Losers

Kohn begins by defining competition as a situation characterized by "mutually exclusive goal attainment," which means, very simply,

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"that my success requires your failure." Competition, then, is always, according to Kohn, a zero-sum game, but this statement is not to be taken as a substantive claim about the real world. Rather, it is simply part of what Kohn takes the word "competition" to mean. "By definition," he says, "all competition is zero-sum." With this understanding of competition in mind, Kohn proceeds in the next four chapters of his book to undermine what he takes to be the four central arguments (he refers to them as "myths") which comprise the case for competition: that it is an inevitable feature of human nature, that it is a necessary motivating force for productivity, that it provides the best ways to enjoy life, and that it builds character.

There is little that can be said by way of criticism of this, the heart of Kohn's book. Most of what he says seems plausible enough (it can hardly be doubted, for example, that if competition is defined as a zero-sum proposition, then it proves to be unproductive), and most of what seems implausible is supported not by argument which might be criticized, but simply by reference to conclusions reached by others. This is not to say that the chapters are without interest. Kohn's discussion of education is stimulating, and it makes a challenging case for introducing noncompetitive structures into the classroom. His consideration of businesses, sports, and personal relationships strike a similar note with varying degrees of success. In each case, Kohn mixes empirical data with largely common-sense arguments in an attempt to support the claim that pitting individuals or groups against each other in a zero-sum structure is an ultimately unsatisfying arrangement. The remainder of Kohn's book continues to pursue this theme into other areas, and it concludes with a plea for a "noncompetitive society."

Now, what are we to make of all this? Does Kohn's book really amount to a radical critique of American society? It seems that there are two very different ways of reading it, one of which makes a great deal of sense, the other of which is almost surely the author's intent. The first way of reading Kohn's book is as a self-help manual for the '80s, a sort of *How to Become Number One Without Really Trying*. On this reading, Kohn's is the voice of reason in an age of competitive frenzy. His message is simple: if you want to be happy, successful, popular, healthy, satisfied, then don't be so competitive. If you're a student, worry about the material you're studying, not about how the other students are doing; if you're a teacher, organize your class to reward cooperation and discourage competition. If you're a business employee, concentrate on your own responsibilities, not on stabbing your co-workers in the back; if you're a business employer, hire team

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players and avoid ruthless competitors. There is surely some wisdom in this advice, but it seems highly unlikely that this is all Kohn intends to impart. It amounts less to a critique of American society, after all, than to a criticism of some Americans.

The second way of reading Kohn's book is as an attack on the liberal social order in general, and on capitalism in particular. This interpretation might seem to be precluded by Kohn's stipulation that the kind of competition with which he is concerned is zero-sun competition. Market competition, after all, is not zero-sum. But Kohn seems at times to overlook this most crucial distinction, and from the general tone of the book, it is manifestly evident that he believes capitalism to have been included in his indictment of competition. "Our economic system may well be the prototype of competition from which other varieties derive," writes Kohn. "Capitalism can be thought of as the heart of competitiveness in American society." This second interpretation of Kohn's book, then, almost surely reflects the author's intended thesis. The only problem with this, however, is that there is hardly a single sentence in the book which supports it.

To see how Kohn manages to go so far astray, it is necessary to see how he understands the relationship between individuals in a market society. "Football players cooperate in order to win," he notes as an example of cooperation in the service of competition, "and employees pull together in order that their company can earn higher profits than another company." The metaphor of market competition as a game is a common one, but, as has so often been noted, it is spurious. While in a football game if one team wins the other necessarily loses, in a market interaction both parties can "win." Indeed, Kohn so summarily dismisses Adam Smith's analysis of the market as "simply wrong," that he fails to recognize that Smith reveals trade to be, *even on Kohn's terms,* cooperative rather than competitive.

Exchange vs. Competition

Kohn describes structural cooperation as meaning that "we have to coordinate our efforts because I can succeed only if you succeed, and vice versa." And he explicitly rejects the idea that such interaction must be grounded in altruistic or non-egoistic sentiments. Cooperation, he says, "sets things up so that by helping you I am helping myself at the same time. Even if my motive initially may have been selfish, our fates are now linked. We sink or swim together." Yet this was precisely

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Smith's great insight into the market in *The Wealth of Nations*. "Man has almost constant occasion for the help of his brethren," Smith noted—we sink or swim together—"and it is in vain for him to expect it from their benevolence only." Instead, Smith argued, man must in general "shew them that it is for their own advantage to do for him what he requires of them. Whoever offers to another a bargain of any kind, proposes to do this. Give that which I have, and you shall have this which you want, is the meaning of every such offer; and it is in this manner that we obtain from one another the far greater part of those good offices which we stand in need of."[1] There is an enormous difference, then, between competition on the playing field and competition in the open market. Individuals who exchange goods they have or services they can provide for goods or services they would prefer are not, on Kohn's terms, competing. The market, that is, is not an arena in which "my success requires your failure," and thus any conclusions about zero-sum competition which Kohn might reach cannot legitimately be extended to market competition. Kohn fails to note this crucial difference, and this failure undermines every criticism of capitalism in his book.

Consider, for example, the claim that competition is inefficient. Kohn cites a wide variety of studies which indicate that, in many circumstances, pitting individuals against one another inhibits productivity rather than promoting it. The reason for this is not difficult to find. As Kohn notes, trying to do well and trying to beat other people are two different things. Kohn's descriptions of the problems with such competition are plausible, and as noted his discussion of education persuasively argues for introducing more innovative teaching techniques into the classroom. But Kohn never mentions the fact that the market for education in the United States is dominated by the public school system—that education is not, in other words, provided by a competitive market. Since the public schools face little serious competition, they have little incentive to improve and, therefore, to experiment with new ways of teaching. If competition in the classroom is truly an unsuccessful way to educate children, then competition in the market for education would seem a sensible way of finding more satisfactory alternatives. The market solution of weeding out competition when it proves an inappropriate form of organization—through the use of even more widespread competition among various forms of organization—has the appearance of paradox only so long as one fails to discriminate between zero-sum and non-zero-sum competition. Kohn's failure to do this results in a misguided discussion of efficiency.

A second consequence of Kohn's confusion is the claim that compe-

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tition discourages individualism and breeds conformity. The argument is again a simple one: in order for people to compete against one another, they must in some sense be doing the same thing. But again the argument is one which cannot legitimately be extended to market competition. For competition on a social scale must include competition in what Mill called "experiments of living."[2] Unlike individual competitive events, life itself is not a game to be won or lost. There is no one common conception of the good life which all must strive uniformly to attain; instead there are different people trying to develop different visions of such a life. Competition at the social level, then, far from requiring us all to do the same thing, allows us to do different things, to seek our own means of happiness.

The State vs. Competition

Kohn's apparent criticisms of market competition must lead us, finally, to ask where the state is supposed to fit in to all of this, and the answer, it must be admitted, is extremely unclear. On the one hand, Kohn includes government within the scope of his critique of competition. The electoral system is, after all, a notorious example of zero-sum competition, and Kohn's remarks seem at times to suggest an analysis of government similar to that developed by Public Choice theorists such as James Buchanan. But on the other hand, it is difficult to imagine a non-competitive society of the sort that Kohn seems to envision without a substantial role being played by an interventionist state. Kohn, for example, favorably compares BBC television with American networks, and blames the competitive structure of American television for its poor quality (he does not note the heavily regulated nature of American television, nor does he acknowledge the wider variety of programming available on the relatively more competitive cable systems). Although he does not explicitly draw the conclusion from this that the government should take over the media, the idea does seem implicit in his suggestion that the public would be better served if the networks worked together as one organization. In any event, Kohn does not suggest any non-governmental means of achieving cooperation between individuals or groups who prefer to compete.

It is worth noting, in light of this ambiguity, that Kohn introduces his chapter on competition and productivity with a quote from Edward Bellamy's *Looking Backward*. One of the most influential American books of the nineteenth century, *Looking Backward* painted

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an inspired picture of a non-competitive world of the future, one in which all the citizens worked peacefully and cooperatively toward collective goals. But while Bellamy was a utopian thinker, he possessed a realistic understanding of the coercive foundation on which such a society necessarily rested. In a jarring passage which breaks dramatically from the idyllic tone of the rest of the book, Bellamy acknowledged the less than fully voluntary nature of his "free society." Everyone agreed to cooperate, but only in the sense that "a man able to duty, and persistently refusing, is sentenced to solitary imprisonment on bread and water till he consents."[3] If Kohn's criticism of competition, like Bellamy's, is truly meant to include the capitalist order itself, one suspects that the alternative rests on a similar form of "consent."

What kind of challenge, then, does *No Contest* present to liberalism? When read as a kind of guidebook for individual improvement and happiness within a liberal order, the answer is none at all. If non-competitive games really are more fun, as Kohn suggests, then liberals ought to enjoy them as much as anyone else. But when read as an attack on capitalism, Kohn's book simply rests on a mistake, and one which renders his arguments largely irrelevant. There are, of course, many other arguments against market competition which could, and should, be made, but Kohn does not make them. As a challenge to liberalism, then, Kohn's book misses the mark.

Despite these substantial limitations, however, *No Contest* can serve as a useful tonic to one of liberalism's potential excesses: the lingering temptation to make competition the answer to every problem. There is no reason, after all, to suppose that there is only one sort of arrangement which is appropriate to every form of human activity. In all the areas of life which Kohn surveys, from work to play, from education to personal relationships, people try a wide variety of arrangements. Some fail and some succeed, but we all benefit from their attempts. And that, so far as liberalism need be concerned, is what competition is all about.

NOTES

1. Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (Oxford: Oxford University Press, 1976), I, 26.
2. John Stuart Mill, *On Liberty* (Indianapolis: Bobbs-Merrill, 1956), 68.
3. Edward Bellamy, *Looking Backward* (New York: Signet Books, 1960), 95.

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Harmon Zeigler and Thomas R. Dye

FREEDOM VS. EQUALITY?

AUTHORITY AND INEQUALITY UNDER CAPITALISM AND SOCIALISM: USA, USSR, AND CHINA

by Barrington Moore, Jr.

Oxford: Clarendon Press, 1987. 142 pp., $29.95

This book is a revision and expansion of Moore's Tanner Lectures on Human Values delivered at Oxford in 1985. It is a remarkable book, in our judgment superior to any of his previous ones and therefore by definition a major work. Moore's premise is so simple that it is deceptive. He believes that, while the path to the top may vary between socialist and capitalist systems, with politics being the major avenue of advancement in the former and economics in the latter, the results are similar:

> Though the determinants of position on the ladder are different, mainly economic in the USA and mainly political in the USSR, the distance from the bottom rung to the top one turns out to be about the same in both cases. In other words, there is as much inequality in the Soviet Union as the United States. . . . The same holds true for China. (9)

Capitalist Freedom, Socialist Equality

Before returning to the evidence Moore offers for his conclusion, we should understand just how jarring it is. One of the great, generally unchallenged, "laws" of social science is that centrally planned econo-

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mies trade freedom for equality, an exchange many American academics are willing to make. The distinguished Yale political scientist Charles E. Lindblom labels this proposition as *undeniable:*

> It is in communist provision of . . . some degree of equality in the distribution of income and wealth that the communist claim to approximate the humanitarian vision . . . seems undeniable. On these fronts the communist systems have to be credited with great accomplishments, on the whole probably greater than those of the polyarchies [capitalist democracies].[1]

Lindblom expresses the conventional wisdom in academic circles that communist regimes sacrifice freedom and economic prosperity for a level of equally distributed economic benefits, and that capitalist nations opt for freedom and prosperity at the expense of equality. Capitalism achieves higher economic growth rates by providing individual incentives for work, productivity, initiative, and enterprise; these incentives necessarily entail inequalities. Socialism, by eliminating private ownership of the means of production, achieves a leveling of wealth and income. The implication is that while capitalism is better at producing wealth, socialism is better at distributing it.

Not only do most social scientists accept the existence of this tradeoff, they virtually never subject it to even moderately systematic examination. The fact that this "truth" has gone unquestioned, despite the ready availability of modern methods of data collection and analysis, may be attributable to the mystique of socialism, its appeal to communal or humanitarian values. Capitalism not only allows greed, it encourages it. Again, as Lindblom puts it:

> These equalitarian and humanitarian visions have been communist aspirations since the nineteenth century, when the pursuit of liberty and equality, which had been taken up during the Enlightenment, went their separate ways. Democrats went to the right, seeking liberty. Communists went to the left, seeking equality.[2]

Lindblom is hardly alone. He speaks for a host of social scientists who have neglected to subject these assumptions to careful scrutiny. Lindblom singles out China and Cuba as having "refreshed equalitarian hopes thoughout the world."[3] But, even while conceding the weakness of the evidence, Lindblom, after surveying what little evidence there is, concludes that "as a family of systems, however, polyarchies [capitalist democracies] are almost certainly significantly less equalitarian than the communist family."[4]

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Income Distribution in the U.S.

What evidence does Moore present to refute these claims? There are two ways to go about the task, and Moore pursues both. First, there is the issue of inequality in a vigorously capitalistic society such as the United States. On many occasions Moore enjoys poking fun at the quantitative obsessions of economists and political scientists, so his "evidence" is more anecdotal and speculative than many would perhaps prefer. He starts with the premise that ". . . the United States is a land of sharp extremes in poverty and wealth" (31). But unlike many who stop here and drift slowly into vapid criticism without any clear comparative evidence, Moore is more astute. He relies heavily upon Lester C. Thurow's thesis that not only are there extremes of wealth and poverty, but additionally the gap is widening; yet both Thurow and Moore concede that even if the gap is widening, it would take many years for serious consequences to occur.

Even here there is room for argument. Thurow asserts that "according to the U.S. Bureau of the Census, the share of total income that went to the top 20 percent of all families was 43.5 in 1985, the highest level recorded since the data were first collected in 1947."[5] Actually, these data have been collected since 1929 and do not support Thurow's thesis. The proportion of national income going to the top 20 percent displays a less ominous trend:

Table 1: Income Distribution in the United States

Year	Proportion of income going to top 20% of population
1929	54.4%
1936	51.7%
1944	45.8%
1950	46.1%
1956	45.3%
1962	45.5%
1972	41.6%
1975	41.0%
1980	41.5%
1983	42.7%
1985	43.5%

Source: U.S. Bureau of the Census, *Current Population Reports;* data from early years from Edward C. Budd, *Inequality and Poverty* (New York: Norton, 1967).

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There has recently been a moderate upswing in the share going to the top 20 percent, to be sure, but it is hardly of revolutionary import. Indeed, the great drop during 1962–1972 possibly distorts the data. In any case, the data do not show the emergence of a plutocracy, and Moore is careful to draw only the moderate conclusions that are warranted:

> These statistics confirm and extend the results of common observation. To be sure, the United States is a land of sharp extremes in poverty and wealth. On the other hand, it is also a rich country with a substantial proportion of the people able to live in comfortable circumstances. (31)

Moore also points out that the proportion of *wealth* belonging to the top *one* percent has declined from one-third in 1929 to about one-fifth today (33). Actually, if one uses the top 5 percent as a slightly less extreme gauge, the proportion of *income* this small group earns has been halved, from 30 percent in 1929 to about 16 percent today.

To explain the inequalities which *are* beyond dispute, Moore resorts to the industrialization thesis he first presented in *Social Origins of Dictatorship and Democracy,* but made famous by Simon Kuznets.[6] The argument in its simplest form states that the creation of wealth leads initially to the creation of inequality. The "Kuznets Curve" resembles an inverted "U". As wealth accumulation continues, the sharp increase in inequality is abated, ultimately to be replaced by an equally strong movement toward equalitarian income distribution.

Without spending any time on Kuznets (indeed, without even mentioning him), Moore draws, if only by implication, the policy lesson of the Kuznets Curve: nothing much will change the Curve's shape. Thus, he concludes that "even if the state confiscated all incomes above $25,000 a year, the poor would get at the most only $350 a piece (29)." Symbolically, of course, wealth confiscation is another matter. The Eastern European countries love to talk about American "plutocrats," epitomized in the annual "Forbes Four Hundred" (Americans with a net worth of at least $100 million). But even if the government confiscated the entire personal wealth of every centimillionaire, the resulting revenue (about $80 billion) would be only 10 percent of the federal budget for a single year.[7]

Presumably, as Moore believes, the United States was more equitable in income distribution before the onset of the Civil War and its attendant industrialization. He quotes Bryce with approval on this point (Bryce claimed to find neither great wealth nor great poverty in

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the 1830s, a circumstance which had vastly changed by the publication of the second edition of his *American Commonwealth* in 1891).[8]

Social Spending and Income Distribution

While Moore does not spend a lot of energy bemoaning the plight of the poor, he nevertheless believes the income gap is too wide (he does not blame any governmental system, or propose an instant solution; he merely wishes life could be a bit fairer). Most importantly, he does not claim that the United States is *unusually* inegalitarian. Since his major premise is that we and our socialist antagonists are neither better nor worse than each other, he could hardly indulge in the America-bashing which has continued during the Reagan administration. Still, he might have been expected to lament our individualistic culture, which is said to militate against the level of spending for social welfare prevalent in the European democracies.

Without question, the United States is more individualistic than Europe, and, equally without doubt, spends less on the various components of "social progress."[9] McClosky and Zaller report that 78 percent of the general public and 75 percent of community influentials believe a fair economic system is one which rewards ability with higher salaries.[10] While there are fewer social Darwinists among us than the Reagan lieutenants prefer to believe, we nevertheless prefer less governmental meddling than is true in Europe. While perhaps two-thirds of the politically active *elite* population is kindly disposed toward a European-style welfare state, only about one-third of the more massive public is so inclined.[11] Whether our government is responding to or orchestrating mass and elite opinion, it is demonstrably less "progressive" than the European industrial democracies. For example, about 43 percent of all health care is paid for by public funds in this country, compared with 93 percent in Britain, 92 percent in Sweden, 77 percent in West Germany, 76 percent in France, and 71 percent in the Netherlands.[12] Richard Estes provides a plausible summary of such spending priorities by developing an "Index of Social Progress." A composite measure, Estes's index placed the United States in the "least favorable" category among developed market economies twenty-five years ago. However, by the 1980s, the United States index had increased substantially, placing it still low among developed democracies, but higher than the USSR.[13] The point is important because of Moore's claim that inequality is equally severe in both countries. In-

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deed, among the Eastern centrally planned economies, the USSR, by a wide margin, achieves the lowest Estes score!

But Moore steers clear of much of this debate for very good reasons. Although he does not say so, his major point, that the prototypes of the extremes of economic/political ideology are really rather similar, leads one to conclude that not much of the public social spending which our culture abhors makes much difference in the reduction of poverty in any case.[14]

Then just how *does* the United States compare, concerning the outcome (equality) as opposed to the effort? Taking the same measure discussed previously, the proportion of income going to the highest 20 percent, we see that the United States is just about like the rest of the industrial democracies:

Table 2: Income Distribution in "Capitalist" Countries

	Proportion of income going to top 20% of population
Australia	47.1%
France	45.8%
New Zealand	44.7%
Italy	43.9%
Sweden	41.7%
United States	41.5%
Canada	40.0%
Spain	40.0%
United Kingdom	39.7%
West Germany	39.5%
Ireland	39.4%
Denmark	38.6%
Norway	38.2%
Switzerland	38.0%
Finland	37.6%
Japan	37.5%
Netherlands	36.2%
Belgium	36.0%

Source: International Bank for Reconstruction and Development (World Bank), *World Development Report 1986* (New York: Oxford University Press, 1986), 227.

The average is 40.4 percent, hardly a number significantly different from that of the United States. Using Gini Indexes yields just about the same result: the average for all countries is .344, and that of the United States is .369.

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So when Moore writes that "the United States is a land of sharp extremes in poverty and wealth" he need only add that so are the other industrial democracies. But his point, that the centrally planned economies are no better, is harder to prove. Centrally planned economies normally do not release or even gather much information about income distribution. So let us see how Moore manages.

Income Distribution in Socialist Countries

Concerning the USSR, Moore stresses the privileges which accrue to the party elite, a sizeable body amounting to perhaps 5 percent of the population. He points out that during the Stalinist attack on wage equalization,

> there began to flourish, amid the shortages, a system of special privileges for selected categories of workers and especially for officials. The privileges consisted of such things as access to "closed" stores carrying otherwise unobtainable foods and other goods, allocations of tolerable housing or even a good apartment, or a permit to buy a good suit. . . . Here we can see the origin of the corruption that . . . permeates so much of the Soviet bureaucracy today. (55)

So far so good. Few would deny that socialist economies, usually coexisting with scarcity, make the opportunities for bureaucratic corruption irresistible. But *how much* does corruption undo the rather narrow, egalitarian wage structure of the USSR? Moore points to two developments. One the one hand, since the 1960s, those at the bottom have been making more money. Yet at the same there has been "a marked increase in the size and privileges of the professional stratum" (62). There has to be a massive amount of privilege to overcome the "official" wage differentials, which are far less extreme than in the United States. Moore believes that skilled workers in the USSR can earn about one-third the salary of an executive there. This difference is trivial compared with the gap between the multi-million dollar contracts paid to American chief executive officers and the $30,000 a year earned by the average industrial worker. So it is the Soviet system of political privileges that obviates the nominally egalitarian wage structure:

> . . . the Soviet Union is a highly stratified society. In terms of income and social esteem there is as great a social distance between a high politi-

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> cal official and an unskilled farm laborer in the Soviet Union as there is between a justice of the Supreme Court and a ditch digger in the United States. . . . In the absence of private property in the means of production, a member of the Soviet elite is completely dependent on official position for access to the material goods of this world. (62–63)

This, then, is the only difference between the USSR and the United States (apart, of course, from our substantially higher standard of living and immeasurably greater intellectual freedom): In the USSR the inequalities in wealth spring from the dictates of the socialist economy. The government (and party) "runs" the economy, and those who are strategically placed in the government reap the benefits which all societies accord to honored elites.

China is another matter. There is of course the bureaucracy and the (cyclical) terror. But Moore, falling occasionally victim to the Mao cult still evident among Western intellectuals, believes that Chinese leadership was better intended than Soviet leadership. Orthodox Marxism preaches the need for a large bureaucratic apparatus of persuasion and coercion ("massive unilateral persuasion," in the confused argot of the remnants of the terrorist left). But Mao never really *liked* the bureaucracy. He really did believe that the bureaucracy could be ultimately made redundant, and he acted accordingly. But of course he was wrong, and Moore believes the Chinese bureaucracy is just as corrupt as the Soviet one—indeed possibly more so, since there is less for it to distribute. Moore does not let his modest admiration for Mao get out of hand. He rejects the notion that, while Stalin thought about peasants as enemies to be destroyed, Mao did not. He does believe that, while Stalin's collectivization of agriculture was deliberately genocidal, Mao's two comparable efforts were merely tragedies in "self deception." He adds the obvious: "But for the peasants in Russia and China who died in these campaigns the distinction between overt policy and tragic self-deception did not make a particle of difference" (90). Noting that many of the "struggle sessions" common during the Cultural Revolution led to suicide, Moore asks, "How much worse is death by execution than by public humiliation that can drive a person to suicide?" (94)

If both of Moore's socialist examples are brutal, there is a major difference in the *structure of inequality*. In the USSR, the main cause of inequality is the excesses of political privilege. In China, much of the inequality is that between urban and rural populations:

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> . . . the fundamental inequality in Chinese society has for some time been that between the urban and rural inhabitants. The city dwellers, only about one-fifth of the total population, have come to form a relatively prosperous and protected enclave. (98)

It would seem, then, that both socialist and capitalist polities, for different reasons and with dissimilar methods, divide their populations between the few who prosper and the many who do not, or who do so less. The traditional notion that freedom is exchanged for equality under socialism has no basis in fact, if the United States is paradigmatic of capitalism and China and the Soviet Union of socialism.

Overlooked Evidence

Moore, like his opponents, can generate little hard information. Both those who believe socialism leads to equality and those, such as Moore, who do not, would do well to consider gathering data and analyzing it. Admittedly, this is a tough job, since the centrally planned economies rarely release reliable income data. But it can be done. In one of the most important data gathering efforts of the last two decades, Michael Don Ward has developed an inequality index for a wide variety of countries, including most of the socialist ones.[15] While his techniques cannot be discussed here, Ward's work does appear to be plausible. His scores are arrayed from most to least equal, with high negative numbers indicating greater equality. Although surely there has been some change since the data were collected, the USA scores −138, the USSR −102, and China +29. Ward thus, with a massive empirical effort, supports Moore's impressionistic judgment.

But we can push Moore (and Ward) a little further, by incorporating an index of political/economic systems developed by Raymond Gastil.[16] These scores range from the most capitalist, such as the United States, to the most socialist, such as the USSR, on a scale of one to ten.

Using these two indexes as the major independent and dependent variable, and including a variety of more traditionally used measures, the relationship between type of government and extent of equality is very weak (a correlation of only .07), while the relationship between GNP per capita and equality is very strong (yielding a correlation of .84). Further, even when the possible confounding effects of the im-

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pact of wealth upon form of polity are taken into account, the relationship between type of government and level of equality does not change: there is none. As Moore concluded, there is no relationship between political organization and equality; the strong GNP per capita association is much more significant.[17]

Moore has illuminating things to say about such conclusions, though he does not avail himself of the numbers. He believes socialism can only survive *because* of scarcity and hence poverty. Speaking of the Chinese practice of denying ration cards to illegal internal immigrants, he asserts:

> Without the shortages that make ration cards necessary the prohibition [on internal migration, which disrupts central economic planning] would be unenforceable. This situation strengthens the thesis that *shortages of material goods are necessary to make socialism work and that under socialism the power to ration is the power to rule*. Socialist governments do not sit on bayonets so much as on ration books. Socialist politicians probably do not say as much even to themselves. But that is what their propaganda about sacrifices for building socialism turns out to mean in practice. (98)

Egalitarian Illusions

Moore ends with the usual "what is to be done" section. Yet even here he avoids the trivial. Developing his theme that socialism needs scarcity, he argues that both Stalin's terror and Mao's Cultural Revolution were "essential elements in the so-called normal functioning of a political system" (108). Besides such periodic upheavals, socialist systems also share the following characteristics: (1) they require one-party doctrinal orthodoxy; (2) they employ powerful secret police forces; (3) they control the economy through almost equally powerful bureaucracies; and (4) they are very corrupt. Authority in socialist systems is much more centralized than in capitalist ones:

> . . . for all the talk of big corporations really running America, not even the most powerful corporation executive in the country, or its richest citizen, can by his or her decisions have an impact on a fraction of the lives of ordinary people affected by a decision of a top official in a socialist country. (113)

Why has socialism failed, given its more easily available powers of "massive unilateral persuasion"? Moore believes it fails because its

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leaders cannot resist the temptation to plunder, especially when the society has so little and their positions make so much available to them. He may be only partially correct, but his answer has the rare merit—among social scientists—of being blunt. We are more accustomed to explanations of "failed revolutionary ardor" and the like.

Nor will Moore let us escape his central verdict, a finding supported by more empirical, verifiable evidence than even he brings to bear:

> . . . the system of inequality under prevailing forms of socialism has turned out to be not very different from that under liberal capitalism. At the apex of the system there is a tiny elite whose official position gives them access to most of the material goods of this life: luxurious housing, fine food, chauffeured automobiles. . . . Looking now at the bottom of the social pyramid we find large numbers of people who are forced to make do at the margin of subsistence. . . . Thus the range of inequality is essentially the same under socialism and liberal capitalism. (118)

If the two major forms of government are essentially the same, what is to be done? Moore asks the question somewhat differently: why must *anything* be done? He worries less about the status quo than about the possibility that either system can be captured, perhaps permanently, by an elite even greedier and more self-serving than those currently extant, an elite which would behave rather like Marcos, Lopez Portillo, or Duvalier. The difference between government largely for the enrichment of a handful of autocrats and government which, in the execution of its normal functions, enriches the governors, is not trivial. Moore does not think either capitalism or socialism is well protected against total venality. One might argue that, at least in capitalist democracies, we can throw the rascals out. But Moore correctly points out that an informed electorate is "among the rarest of species" (122).

Is the book intended to depress the reader? Possibly so. Moore mentions in passing his pleasure in the upsurge of democracy in Argentina and Brazil, but these modest gains (especially since the new governments will be as inegalitarian and greedy as the others) can hardly deflect Moore from his grim conclusion: "There are, then, all around us, signs of social, cultural, and moral disintegration" (124). The only solution is an end to "political glamor" and a return to leadership with modest, incremental goals. But given the hyperbolic binges produced in both open and closed societies by the saturation bomb-

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ing of populations by television, even this modest proposal may go unattended.

Moore's argument, however strongly supported, will, unfortunately, leave academics as unpersuaded as ever. With the first Marxist government trying at least a limited experiment with incentives and markets, with the Third World's most ardently socialist government becoming even more outspoken about the benefits of competition, with African nations falling over themselves to "restructure" and thus qualify for World Bank loans, one might have thought that Moore's book would contribute to at least a temporary respite from the academic embrace of socialism. But Berger reminds us of the "ingenuity with which many have succeeded in explaining (or explaining away) the empirical discrepancies."[18]

If the Soviet Union and China are now despoiled, then there will be another place where "true" socialism blossoms. Once it was Cuba which was said to be "unique because it does not use terror, except in isolated instances."[19] Then Valladares's memoirs were released and Cuba's true nature was revealed.[20] From Cuba we turned to Nicaragua, where the revolution is known officially (that is, in collections of essays and so on) as "The Triumph." As of this writing, it appears that Nicaragua has 6,000 to 10,000 political prisoners.[21] For a country with a population of about three million, this is a substantial number. Additionally—and some suspect this is the most important reason for having suspended *La Prensa*—the ubiquitous hard currency stores are cropping up in Managua, and the life styles of the Sandinista leaders are approaching the opulence of more established socialist economies.

NOTES

1. Charles E. Lindblom, *Politics and Markets: The World's Political-Economic Systems* (New York: Basic Books, 1977), 226.
2. *Ibid.*, 266
3. *Ibid.*
4. *Ibid.*, 274.
5. Lester C. Thurow, "A Surge in Inequality," *Scientific American* 256 (May 1987): 30.
6. Barrington Moore, Jr., *Social Origins of Dictatorship and Democracy* (Boston: Beacon Press, 1966). Simon Kuznets, "Economic Growth and Income Inequality," *American Economic Review* 45 (March 1955): 1–28.
7. Thomas R. Dye and Harmon Zeigler, *The Irony of Democracy*, 7th ed. (Monterey, California: Brooks/Cole, 1987), 103.

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8. James Bryce, *The American Commonwealth* (New York: Chatauqua Press, 1891). Samuel P. Huntington, in *American Politics: the Promise of Disharmony* (Cambridge: Harvard University Press, 1981), makes use of Moore's classic essay on the American Civil War, but Moore ignores Huntington. Since both use industrialization to explain inequality and its comparatively passive acceptance, we might hope that their intellectual paths will cross.
9. On the American culture see Huntington, ch. 3.
10. Herbert McClosky and John Zaller, *The American Ethos: Public Attitudes Toward Capitalism and Democracy* (Cambridge: Harvard University Press, 1984), 84.
11. McClosky and Zaller, 295. While acknowledging some rifts and fissures, it nevertheless can be maintained that the American elite believes in a "willingness to take the welfare of others into account as a part of one's own sense of moral well-being, and a willingness to use governmental power to correct the perceived wrongs done to others—particularly the poor, blacks, and other minorities." See Thomas R. Dye, *Who's Running America,* 3rd ed. (Englewood Cliffs: Prentice-Hall, 1983), 235.
12. Arnold J. Heidenheimer, Hugh Heclo, and Carolyn Teich Adams, *Comparative Public Policy,* 2nd ed. (New York: St. Martin's Press, 1983), 58.
13. Richard Estes, *The Social Progress of Nations* (New York: Praeger, 1984), 103.
14. This point has nothing to do with Charles Murray's *Losing Ground* (New York: Basic Books, 1984). Murray believes we have developed *bad* public policy. Moore doubts the practicality of *any* public policy.
15. Michael Don Ward, *The Political Economy of Distribution* (New York: Elsevier, 1978), 16–39.
16. Raymond D. Gastil, *Freedom in the World* (New York: Freedom House, 1986).
17. The beta is even more depressing for polity as a predictor variable: .02. In another paper, we use a substantially larger armory of control variables. See Thomas R. Dye and Harmon Zeigler, "Socialism and Equality in Cross-National Perspective: A Review Essay," *PS* (Winter 1988): 45–56.
18. Peter L. Berger. *The Capitalist Revolution* (New York: Basic Books, 1986), 204.
19. Amos Perlmutter, *Modern Authoritarianism* (New Haven: Yale University Press, 1981), 19.
20. Armando Valladares, *Against All Hope* (New York: Alfred A. Knopf, 1986).
21. Personal communication from Donald Share, December 30, 1987.

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Simon Green

TAKING TALENTS SERIOUSLY

Egalitarianism has begun to define itself. Once little more than a pious cliché, a vague injunction that all likes should be treated alike bereft of adequate identification of *who* exactly those likes are, and *how* they might be treated equally, it has now acquired a precision of conceptualization and rigor of method which demand attention and respect. The skeptic can no longer bask in the comforting wisdom that human beings are born unequal and that all attempts to equalize their conditions of life must eventually expose themselves as chimerical. Moreover, through the subtlety of its contemporary exposition, especially in the philosophical writings of the likes of G. A. Cohen, Ronald Dworkin, Jon Elster, John Rawls, John E. Roemer and Amartya Sen, the certainty of a distinctive technique has been added to the more traditional attractions of a nebulous generosity.[1]

These thinkers largely eschew millenarian egalitarianism, the forlorn attempt to equalize absolutely and inviolably the distribution of economic goods and social esteem between persons. But they do not abandon an egalitarianism that is radical. On the contrary, they reject the traditional liberal egalitarian ideal of equality of opportunity as incoherent at best and inegalitarian at worst. They direct critical attention to the most basic question of inequality: the *innate* differences between human beings. They envisage a social system ordered not to ensure a complete equality of condition between persons, whatever the costs in personal liberty or individual responsibility, but rather a society in which only matters for which one *is* personally responsible are allowed to diminish or increase one's welfare or esteem; a society in which

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the genetic lottery of one's birth plays no role in determining the distribution of goods and benefits, and which would, therefore, compensate those who are relatively handicapped—through no fault of their own—by a lack of "talents." They project, with the utmost philosophical rigor, tentative methods to pursue a morally plausible goal: the equalization of talent between persons.

I shall argue, however, that these methods fail and that their underlying ambition is incoherent. The distinction between equality of outcome and equality of talent cannot be sustained; the second collapses into the first. Moreover, pursuing an equality of talents necessarily will diminish the quantity and quality of those resources available to the whole community for the benefit of all. Radical egalitarianism turns out to be millenarian egalitarianism after all, and with the same disastrous results.

The Problem of Differential Talents

The equalization of talents is a utopian—indeed almost a profane—vision. It attempts a comprehensive resolution of the most ancient form of human bondage: the vagaries of luck, the force of misfortune. Life is not only (perhaps even not primarily) "unfair" because some are born rich and others poor, but also because some are born tall, beautiful, healthy, and talented and others (the vast majority) are not. The equalization of talents is a method for coping with the ethical impact of that unfairness.

The method is necessarily approximate. Radical egalitarian social theory does not yet furnish the means to make the sick healthy, the short tall, or the untalented gifted. Nor does it, for the most part, deny or obscure the fact that the short are short, that the sick are sick or the untalented untalented, although there are occasional gestures in this unpromising direction.[2] The force of radical egalitarianism—like that of all egalitarian thinking—arises not from a fatuous denial of the obvious, but from consideration of the moral implications of the given, and particularly from criticism of conventional moral interpretations of that state of affairs. Egalitarians observe only that, by any reasonable understanding of the concept of responsibility, the short are not responsible for the fact that they are short, the sick that they are sick, the untalented that they are untalented. By the same argument, the fortunate cannot be thought to have deserved the good fortune of being tall, healthy or talented. These attributes are gifts of the gods, products of innate natural endowment or luck, or both. They are morally arbitrary. They cannot be the basis of an individual's desert. Therefore they cannot be the basis for the just allocation of goods and burdens.

So much has become virtually commonplace in philosophical literature. But the implications of those arguments, if pushed to their logical extension, make moral demands upon the freedom of individuals to act and exchange which can seem, at least intuitively, repugnant. It is this *prima facie* repugnant

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conclusion that radical egalitarian theory attempts to render not simply plausible, but attractive. It does so by means of the theory of the equalization of talents.

Consider the resources available to any person at any time. For strictly analytical purposes those resources can be classified as being either transferable or non-transferable. The former are those resources contingently possessed by individual A which could, both conceivably and ethically, be transferred from him to individual B if the need or the inclination arose. Non-transferable resources could not be so transferred. They are attributes of a person which could only be transferred from that person to another by means which are inconceivable or unethical or both. Such resources are individual "talents." It is important to note the distinction between this definition and common usage. We tend to conceive of talents as special gifts possessed by peculiar persons to perform certain actions more effectively, or more aesthetically pleasingly, than other individuals. But a "talent" need be no more than an attribute of one person publicly revealed to other persons. A circus dwarf is "talented" in this respect. He possesses, in his own person, resources which cannot conceivably or ethically be transferred to me, a person of above average, but unremarkable, height. Were I to stand in a circus no one would be impressed by, or willing to pay for the privilege of observing, my height. Though common-sense usage would deem a concert pianist to be "talented" and a circus dwarf merely to be a freak, analytically both command non-transferable resources. Both have "talents."

Every human being possesses innate, hereditary, non-transferable resources in his person. Common sense and careful measurement tell us that we possess very unequal quantities and qualities of any attribute which could possibly be defined as a non-transferable resource or talent. Radical egalitarianism is a theory about distributive justice which attempts to cope ethically with that genetic fact. It eschews any attempt, whether utopian or merely repugnant, *literally* to equalize the resources available to every person in a political community by homogenizing the bodily and mental attributes at the disposal of each.[3] It seeks only to effect that artificial "equalization of talents" which would result from an egalitarian redistribution of the fruits of talent; that is, it outlines the means to administer a reallocation of those products of non-transferable, productive talent such that their impact on human welfare will be equal between all persons.

The Mechanics of Redistribution

Let us assume, if only for the purpose of argument, that a fiscal mechanism for the redistribution of the fruits of talent exists. It reallocates *transferable* resources so that the total productivity of *untransferable* talents is equally distributed between all persons. Should this mechanism be employed by a just

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society? Would it violate any rights of some or all persons? Would those violations matter, or can they be cancelled by, or incorporated into other rights possessed by moral agents?

A radical egalitarian may answer this question quite unequivocally. A just society would employ such a redistributive mechanism to the full extent of its capability because of the fundamental right of all persons to equality. A just society would employ that mechanism for that purpose even against the wishes of the majority of persons in that society.[4] It would employ that mechanism even if the result were to reduce overall levels of welfare in that society, provided that the diminution of total welfare were matched by a corresponding equalization of welfare between persons.[5] These are, at least intuitively, remarkable moral claims. How can radical egalitarians be so sure of their justness?

The moral claim of egalitarianism is powerful. It asserts that the most fundamental right human beings possess (perhaps the only fundamental right they possess) is the right to equality. This right derives from common humanity. All human beings have the right to the respect of other human beings *as* human beings; all likes should be treated alike. The right of equal respect, and respect as an equal, suggests that all human beings have a right, at least *a priori*, to be treated as equals in the distribution of those resources which exist in any society to serve human welfare.

To distribute resources between individuals in order to treat them *as* equals is not to distribute resources in equal quantities between them; far from it. Some individuals may be handicapped or underprivileged in some manner and require greater quantities and different qualities of transferable resources in order that they may be properly treated as equals. Deviations from a quantitative equality of distribution between actual persons can be extended almost infinitely. No matter; the principle remains. Radical egalitarians simply point out that one of the most important difficulties in administering egalitarianism is the fact of innate human difference. Therefore innate human difference must be treated as a moral problem. Some means must be established to effect an artificial or fictitious replication of the transfer of the "talents" (i.e., non-transferable resources) of the innately overprivileged to the innately underprivileged so that there is an equalization of non-transferable resources between persons.

Let us assume that a mechanism for this purpose exists. It has transferred "talent" from one person to another. Is that fair? The radical egalitarian will insist that it is, because the privileged have no right to privileges, and because the under-privileged do not deserve to be deprived of them. Since the inequality of privileges reflects no justice, it should be rectified if possible. With the "equalization of talents" justice has been done.

But justice has been done, one might think, at a very considerable price. Those of talent have been denied their talents; more precisely, they have been denied the fruits of their talents, or at least some of those fruits. Their right to own those talents has been repudiated and the fruits of the talents of all have

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been so redistributed that all have benefited equally from those talents. Self-ownership has been replaced by world-ownership. Each has given according to his abilities and received regardless of them. But some, perhaps even most individuals in any given political community will not necessarily feel proud of, or justly done by, that fact. Why?

Intuition suggests that if there is anything that anyone could justly be said to own, to have an absolute right to the possession of, it must be himself; that is, to own his own faculties and what he can honestly and fairly produce by them or by exchange of their products in a fair market.[6] Egalitarian theory must repudiate this right, and it does.

Egalitarianism and the Denial of Individual Responsibility

Consider the ethical status of talents. In what sense, apart from physical non-transferability, do they differ from transferable resources?

They are internal, rather than external, but that is a purely contingent fact. In terms of exclusivity, divisibility and exchangeability they do not differ, in any analytically secure sense, from external resources. If this is true then their moral status cannot differ from that of external resources. Is not the ability to paint more than simply a resource at the disposal of a painter in order to secure other commodities by free exchange at advantageous price in order to enhance his mundane welfare? Is it not an indivisible part of what it is for him to be the person he is? Very probably it is. But this truth, if truth it is, poses no difficulty for a radical egalitarian. It is perfectly legitimate to distinguish between a talent as essential to personality and a talent as a resource at the disposal of free agents. In the case of the painter, the distinction is very easily made. To prevent a painter from painting is to deny him the possibility of self-expression. But to deny him the liberty merely to sell his pictures in a free market for the highest price he can secure, or to deny him the liberty to retain the full proceeds of that sale for himself (i.e., the right to ownership of the fruits of his own talent—self-ownership) is not to deny him the possibility of self-expression, unless the denial of self-ownership is *itself* defined as an abridgement of self-expression. It is difficult to see how this conflation of terms can reasonably be made.

Self-ownership is not a matter of essential individuality or self-expression. It is a putative right to unequal command over the fruits of innate endowment. To deny self-ownership is to assert that what is innately or naturally bequeathed to a person cannot be deserved by that person. Talents, conceived not as essential elements of individual personalities, but as non-transferable resources commanded by individuals, are undeserved natural endowments. Individuals do not deserve those gifts because they did not earn them; they are not the product of the effort, or the virtue, or the moral worthiness of those who command them. They are privileges, gratuitously endowed. More important, they are unequally distributed privileges, and the inequality of that

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distribution is a fundamental and incorrigible cause for the unfairness of the subsequent distribution of resources and welfare between persons in a political community.

This judgment admittedly offends common sense. Talents do not simply arrive in the world fully developed. Individuals must nurture their abilities. That nurture is the product of their own sacrificial effort and the educational or other opportunities that are afforded to them by other individuals or groups of individuals. The balance of individual effort and social allocation varies between cases. It is rarely the case that neither effort nor opportunities are present in the development of any given talent in any given talented person.

Yet they might not be present. The circus dwarf need expend no effort to earn the fruits of his "talent," and society need make no educational provision for its nurture. It is therefore possible to distinguish, at least for analytical purposes, between those human actions which are the product of "effort" and those which are the result of innate endowment.[7] It is also possible to distinguish analytically between those actions which are merely "competences"—that is, to some degree the outcome of the education provided to an individual and therefore to some degree reflective of social arrangements—and those actions which are the product of "talents."[8] These distinctions are widely made. Radical egalitarian theory asserts that those actions which may be analytically distinguished from the expenditure of effort or the provision of educational resources, are the result of "talents" which are morally arbitrary. The unequal distribution of those talents amongst the population is gratuitous. For the fruits of those talents are not the rightful possession of any individual because no individual can be understood to have earned them. Egalitarianism seeks to distribute these fruits equally between all persons in accordance with the principle of equality of respect.

Are Talents Morally Arbitrary?

Assume this theory is now practice. Is it not a wholly admirable one? Let us ignore entirely the question of the interference in personal liberty which it would inevitably demand. Let us allow the ethical similarity of internal and external, non-transferable and transferable resources to stand. A human talent is, in this sense, much like an oil field. It is a resource which may be discovered and may be exploited, either for individual or for common welfare. There are many reasons to prefer that it be used for the good of all. Neither the contingency of the particular ownership of one plot of land under which oil happens to be found, nor the sheer good fortune of finding oil in one place rather than another establishes the right of one to profit at the expense of others. The same argument, it is asserted, holds good for human talents. The mere contingency of particular possession by one person at one time does not establish a right to ownership and benefit from it to the exclusion of others.

The argument, at first glance, appears coherent and cogent. But it rests on

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very shaky foundations, such as the notion that some human talents must be simply gifts, endowed gratuitously to some persons. No matter how hard some individuals try to perform a certain action, no matter how self-sacrificial they are in pursuit of its execution, no matter how many virtues they demonstrate in its pursuit, they will not be able to perform it. Yet others will be able to perform that action with a minimum of personal sacrifice and a negligible expenditure of individual effort. It is our intuitive understanding of this empirical truth that renders plausible the distinction between talent and effort, or talent and some other individual virtue, and enables radical egalitarians to speak about the morally arbitrary distribution of "talent."

But this distinction is not as secure at it seems. There is not only the problem of the necessarily incomplete and imperfect application of analytical models to complex contingent realities—the difficulty of distinguishing *in actual fact* between morally arbitrary "talent" and the its morally worthy "development," or between the endowment and the ambition to nurture it. This problem is widely perceived, even in egalitarian literature.[9] Intuition creates a distinction between those human actions which are the product of individual human virtue and those which are not because it retains the idea that the former are objects of desert and the latter are not, and therefore that the former should be the objects of reward, whilst the latter should not.[10]

But could not the ability to make an effort *also* be an innate endowment, a morally arbitrary product of genetic luck?[11] If so, the radical egalitarian has no basis for distinguishing between the ability to make an effort, or the capacity for hard work, and the sort of morally arbitrary "talents" already discussed. Indeed every virtue commonly associated with human activity—effort, sacrifice, perseverence, etc.—may be reduced at some level of explanation to deterministic causation, whether genetic or social.[12] This is a problem which has haunted legal and criminal theory (usually confronted with difficulties about the *absence* of virtue in given human actions) for a long time. The concept of irresponsibility is well known. A theory of punishment for wrongful acts, even if it cannot fully sustain an argument for just retribution for freely undertaken moral wrongdoing, can fall back upon a utilitarian theory both of retribution and of example.[13] But what of responsibility for *moral rightdoing?*

The radical egalitarian distinctions are too glib. They attempt to assume away the *real* philosophical problem of human responsibility for human actions under the guise of an intuitive distinction between morally arbitrary and morally unarbitrary actions which is *itself* philosophically arbitrary.

Consider Dworkin's famous example. On an imaginary desert island a number of (adult) immigrants have landed, perhaps by shipwreck. They establish, perhaps remarkably, a just social order, dividing the resources of the island equally between themselves, according to their differential tastes, by means of a "fair" auction. It is assumed that the talents of each person are equal. Each person is free to employ his equal share of resources as he pleases. But equality of resources, the projected goal of justice, will be maintained be-

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tween individuals by means of an "envy test," so that if it were possible for any person to envy any other person's total bundle of goods, there would be a *prima facie* case for redistribution. Is all necessarily well with such a world?

Suppose that one immigrant, Adrian, "chooses resources and works them with a single-minded ambition of producing as much of what others value as possible; and so at the end of the year, his total stock of goods is larger than anyone else's. Each of the other immigrants would now prefer Adrian's stock to his own." Does this distribution fail Dworkin's envy test? He insists not. "[By] hypothesis none of [the other islanders] would have been *willing* to lead his life so as to produce [the goods that others value, so] . . . if we look at envy as a matter of resources over an entire life, and we include a person's occupation as part of the bundle of his goods, then no one envies Adrian's bundle, and the distribution cannot be said to be unequal on that account."

Adrian has no peculiar talents. He has merely worked hard and produced what others want. This has increased the resources and welfare of all, but has not, so Dworkin contends, rendered their distribution "unequal," because Adrian's larger stock of goods is *merely* the result of pursuing a successful career, which others were not willing to do; and over a whole lifetime, an individual's occupation must be regarded as part of his bundle of goods. So all is still equal. But a problem is immediately evident. What if another islander, Bruce, "*chooses* to acquire land for use as a tennis court," i.e., what if Bruce, unlike Adrian, has a high leisure preference, and chooses to employ land solely for his own welfare? Dworkin continues: "In reckoning whether an equal share has been put to use . . . it is right that his account should be charged the amount that others would have been willing to pay had the land been devoted to other purposes instead . . . i.e. Adrian . . . [must] be able to bid a price for the same land that reflects his *intention* to work rather than play on it and so acquire whatever gain would prompt him to make that decision. . . . In the circumstances described, *in which talents are equal,* [such] efficiency is simply fairness, at least as fairness is conceived under equality of resources."[14]

In other words, our simple egalitarian society enjoys a free market in land. Since Adrian intends to work that land rather than play on it, he will be able and willing to pay a higher price to use it than Bruce will be. Since Adrian and Bruce's talents, like other resources, had been equalized, there is nothing unfair about allocating the land to Adrian as a result of his higher bid for it, or about the fact that he may use the land to gain an economic reward for his willingness to work harder than Bruce. Similarly, if Bruce must either forgo the use of the land or pay a price that exceeds that which Adrian will bid for it, this is no more than the legitimate economic burden he must bear for his leisure preference. *This* form of free-market resource allocation not only serves economic efficiency, but it satisfies the envy test by respecting the intentions—the responsible choices—of individuals with truly equal resources. Thus, in such a society fairness amounts to economic efficiency.

The argument merits lengthy exposition if only for the boldness with which it pierces ordinary barriers of conceptual convention. But as an ex-

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ample of philosophical analysis it is quite inadequate. Dworkin simply assumes the legitimacy of his distinction between those talents for which individuals are deemed irresponsible (which are in this case equally divided) and those intentions or ambitions or actions for which individuals are considered wholly responsible (which are in this case unequally divided). Adrian's willingness to work hard is, at one level, a form of personal responsibility. But one cannot assume that it is not also a "talent"—an *ability* to work hard—which is innately endowed and for which Adrian is not responsible, and therefore should *not* be rewarded. Nor can it be assumed that this aspect of individual responsibility is not also the product of peculiar socialization, i.e. that Adrian was raised in a family which inculcated an ethic of hard work, and therefore that his actions are not solely, or even largely, his responsibility.[15] Moreover, Adrian's willingness to produce "what others value" is another form of personal responsibility which can be quite plausibly reduced to forms of genetic or social determination, for which Adrian can claim no credit.

Moreover, there is no reason at all why other individuals (including "lazy" Bruce) might not envy Adrian's abilities to work hard and to discern what others value most (by innate, peculiar powers of perception?). There is no reason why others might not envy the socialization processes to which Adrian was privileged, which either inculcated in him a work ethic or a form of "other-regard" which they, apparently lack. Nor is there any reason why others (including Bruce) may not envy Adrian's occupation.

These objections to one hypothetical do not repudiate radical egalitarianism. They merely suggest that it must be something a little less intuitively attractive than its adherents wish to suggest. *All* inequalities of outcome must be suspect in radical egalitarian eyes. Few or none will survive all plausible interpretations of the possible conceptual limitations to human responsibility. The arbitrary division of human propensities into one set of morally arbitrary endowments and another set of morally unarbitrary virtues is just that: arbitrary. It has no philosophical or ethical basis. Egalitarianism must take itself seriously. It must insist that all persons are treated *as equals* even if, intuitively, we might wish to treat them as unequals, for we possess no philosophically secure basis in a theory of responsibility to treat them as unequals (at least according to the criteria of distributive justice). Egalitarianism must repudiate not simply the ethical differentiation between the gifted and the dull, or between the healthy and the handicapped, but also those more intuitively attractive ethical differentiations we might otherwise wish to make between the effortful and the lazy, the ambitious and the timid, the far-sighted and the narrow-minded, the concerned and the selfish. A distributive mechanism which does not command a complex theory of individual responsibility can no more aspire to make those forms of ethical differentiation than it can hope to distinguish between "talent" and "non-talent." Nor should it try. It aims at equality and *only* equality. That limitation is not necessarily wrong or immoral, but it will have profound consequences. These consequences should be properly acknowledged.

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The most important single consequence is that "radical egalitarianism" collapses into the millenarian egalitarianism purportedly rejected by the radicals. There is little point in equalizing for "talents" if everything turns out to be a talent; we end up simply equalizing outcomes. But this is in fact the case, because of the impossibility of distinguishing between internal "resources" for which one is not responsible and qualities for which one is. By failing to consider seriously the basis of human wishes and "responsible" impulses, radical egalitarianism fails to develop a convincing theory of human action. In its place is offered an arbitrary distinction which is all that lies in the path of universal equality of condition. This is no conceptual advance.

Radical Egalitarian Programs

Once it is acknowledged that all the moral objections to millenarian egalitarianism apply also to the pursuit of the equality of talents, the new "radical egalitarianism" loses much of its intuitive attraction. But even apart from this issue, radical egalitarianism faces further problems. Most importantly, it risks a profound diminution in the revelation, nurture and utilization of that most elusive of human endowments, natural talent. By implication, it will also have a profoundly negative impact on the maximization of human welfare.

Let us suppose that, despite the philosophical objections that might be raised against the wisdom of its operation, an egalitarian mechanism were imposed upon the economic and social order. What form would this mechanism take? To date, two models have been offered for our consideration: the "insurance premium" and "equal division" models.

The insurance premium model of equality of talents considers what fiscal mechanisms might operate if the fact of differential talent were analogous to the problem of individual mental or physical handicap and if the impact of taxation were similar to the grab of individual insurance. It conceives an "original position" from which individuals do not know what talents they will be privileged to command in subsequent life. Then, from knowledge of those risk-averse policy decisions exhibited by individuals in their daily life as now lived, it establishes what type of, and how much, insurance individuals in the original position would buy to protect themselves against the possibility of being "talent-handicapped" in a "talent-dominated" society. The principles of that system form the basis for a prospective fiscal mechanism, designed to eliminate from resource allocation the morally arbitrary impact of differential talents.

The equal division mechanism divides up property rights in all goods, transferable and non-transferable, so that each person has an "equal share" in society's resources. Mutual slavery is averted by establishing what is called a "core allocation," which ensures an equal share in all scarce resources whilst ensuring that individuals, who are deemed responsible for their preferences if not their ability to satisfy them, pay the true social costs required to satisfy

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them. Originally society guarantees everyone an equal endowment of resources, but subsequently each must bear the true social cost of his demands, measured by their value at market prices.[16]

The ingenuity of these ideas is well-attested. There is no need to examine the details of their machinery here. It is, perhaps, significant to note that the distinction between morally non-arbitrary and morally arbitrary human attributes is, in fact, scarcely made in the operation of these models.[17] But it is more important to be aware of the operational assumptions which must be made if the mechanisms are to effect a significant equalization of talent between persons. Roemer is refreshingly candid about those assumptions: first, the central planner must be certain that individual preferences can be well-defined and that individuals have well-defined utility functions. Second, he or she must know *precisely* the quantity and quality of inalienable (or non-transferable) resources differentially possessed by individuals either in the state of nature or in the pre-egalitarian state of society. Third, there must be no significant difficulties in persuading or inducing individuals (by means other than rewards to the talented) to reveal whatever non-transferable resources they possess, and to reveal those assets not simply as items of abstract information, but as productive resources for the common welfare.[18]

The Revelation Problem

These assumptions neatly bypass, indeed assume away, what might be called *egalitarian transformation problems*. The results of a most elegant exercise in ignoring that problem may be found in Roemer.[19] Let us now assume that the problem cannot be ignored.

Consider the *revelation problem*. It is simply that individuals will not reveal their talents unless they are offered economic (or other) incentives in order to do so. Note the structural properties of this objection to radical egalitarianism. It conceives of a world populated by individuals aware of the nature and extent of their own talents, but unwilling to reveal them to a central planner (or bureaucracy) because of the planner's unwillingness to offer differential rewards to differently valued talents.

This problem has been widely challenged by egalitarian theorists. People, it has been argued, cannot simply set aside their talents in response to a price cut. Their talents will continue to exist, whether they like it or not. The whole question of incentives, it is concluded, is deeply problematic.[20] The circus dwarf cannot cease to be short just because his "rewards to talent" have been redistributed. The virtuoso musician cannot cease to be musically talented just because his command over economic rent has been undermined.

These examples neither solve nor dissolve the problem. That other persons may have direct knowledge of the "fact" that an individual possesses a talent does not, in any important sense, constitute *in itself* a revelation of that talent. Characteristically these "resources" share some of the properties of mere tech-

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nical inventions; but their specific qualities are not exhausted by that comparison. They are not mere items of technology, or bits of private information which may be withheld from public gaze. They are, characteristically, the products of freely willed and continually performed skillful *actions*. These actions may cease at any time. If they do cease, then the talent, for all relevant sociological purposes, is no longer revealed. It is perfectly possible for a particular talent to be widely known but not revealed, and, from the point of view of social welfare, non-existent. The talent of surgery, for example, consists in a complex mixture of intellectual and physical dexterity. "X" is a surgeon. We all "know" he has that skill, either from direct or indirect experience. But unless he is willing to perform continual skillful surgical operations, then his skill as a surgeon is unrevealed, unutilized and possibly even dissipated.

Now imagine a social planner committed to the equality of talents. That commitment expressly debars him from effecting, or permitting any other agency to effect, rewards to differential talent. What if X's surgical talent also enables him to be a perfectly adequate typist? If X is indifferent between the performance of surgical skills or typing skills, and if neither one nor the other affords him greater access to society's resources—economic, social or whatever—because the planner is unwilling to allocate to X any more resources than would represent an "equality of talents," then self-interested X has no incentive to reveal his talent for surgery. Short of physical or psychological coercion his talent will be lost to the planner and to the welfare of society.

Where an agent is self-interested and possesses skills of value, if no revelation incentive is offered, the capacity of the social planner to maximize social welfare is severely restricted. The macabre game of skillful "hide-and-seek" between the self-interested agent and the social planner can be extended to farcical or to repugnant conclusions. But note one exceptionally important property of this game. It is not analogous to the commonly encountered and well-understood problem of "moral hazard." Moral hazard presumes, however minimally, a certain community of interest between two agents for the revelation of information or the performance of certain actions *despite* the asymmetry of information between them which will, in the state of nature, give one agent a distinct bargaining advantage over the other. But our case assumes no community of interest at all. It assumes that the self-interested agent never will have any cause to be anything other than deceptive and uncooperative with the planner, leading to such measures as the removal of himself and his talent from any contact with the planner (e.g., either by emigrating from the radically egalitarian country or by participating in an underground economy beyond the planner's reach).

This grotesque scenario can be adverted by the simplest means—but means that are unavailable to the radical egalitarian. Economic and material or social and status rewards to talent must sufficiently satisfy the ambitions and desires of self-interested talent-bearers so as to induce them to reveal and utilize for the common good those talents which they command in their persons. This argument can be stated formally: the "revelation problem" will severely cur-

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tail the utilization of individual talents for social welfare unless self-interested talent-bearers are entitled to those "rewards to talent" socially necessary to induce them to reveal *their* useful talents.

The Identification Problem

The revelation of human talents is not merely a function of the satisfaction of human selfishness. For it is all too easy to assume that individuals, whatever their motivations—altruistic or egoistic—actually know the true nature and full extent of their talents. Egalitarian theory makes this assumption, but it is illegitimate. We can no more assume, *ex ante,* universal knowledge than we can assume, *ex ante,* universal selflessness. Ignorance of the proper nature and full extent of talents differentially possessed by individuals is *shared* by those individuals and the social planner.

This ignorance about both the quantity and the distribution of inner resources potentially available for social utilization may be compared profitably with professor Richard Wagner's "Easter Egg Hunt."[21] Distributive patterns in a market process are similar, Wagner points out, to those of the children's Easter game. Finders are keepers; the *ex post* division of transferable resources is a product of individual luck, talent and effort. But there is no fixed sum of eggs to be found; and, by analogy, there is no fixed quantity of total economic value to be shared among all participants. In fact, *unless the egg hunt is properly organized there will be no eggs discovered at all.* Potential value will remain "undiscovered."[22] The same is true of market produce and exchange, and of human talents.

Talents are endowments of mind or body which enable individuals to perform actions that are socially understood to be skillful. Some of these abilities are very widespread amongst human beings; for instance, the ability to walk. Some are very rare indeed; for instance, the ability to run a one hundred meters in less than ten seconds. But it is probably reasonable to generalize that none are actually universal and none are actually peculiar to one person alone in the world. (A talent so unique would almost certainly suffer the same cognitive disadvantage as a private language; the ability to run one hundred meters in 9.83 seconds, or whatever, is, conceptually, the ability to run *quickly,* which is not singular). So human talents are not absolute states. They are relational qualities. We perceive the existence of specific talents by *comparing* the actions of individuals. We describe certain individuals as "being talented" when they can perform an action particularly well in comparison with other individuals. But the relational identification of talent follows an initial revelation of talent that results from a freely willed action by its possessor. Talent is a socially identified construct, then, which is vulnerable to *individual* revelation. It may, by reason of individual choice, remain unrevealed and produce nothing. But it may also remain undiscovered and unproductive by reasons of social choice. Unless there are social institutions with the avowed purpose of

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"discovering" individual human talents, then many (perhaps most) human talents will not be discovered at all.

Prize competitions do not exhaust the range of social institutions which may discover human talent. Far from it. Perhaps the most important of these institutions is the protective and concerned nuclear family. The second most important may be a committed and child-centered public education facility. But the construction of social institutions analogous to competitions or tournaments will necessarily loom rather large.

Consider boxing. How do we judge the ability of a person to box? It is possible to measure certain predictive individual features of bodily size, speed of limb movement, eye-muscle coordination, etc., in isolation. But it is not possible to pass any plausible judgment on the ability of a specific individual to box in the absence of an opponent. And there will only be an opponent if there is a contest. A necessary (if not sufficient) feature of a contest is a prize, i.e., an incentive to an individual person to enter the contest. That incentive need not be very great. It need not involve unequal economic distribution at all. It might simply be the (inevitably unequally distributed) kudos or esteem that would result from victory or from creditable performance in a contest. On the other hand, economic incentives for the discovery of talents may prove so effective that they justify market institutions.

The boxing analogy suggests that certain attributes, which might be termed "competitive talents," cannot be properly identified (i.e. known to the full extent of their nature), let alone revealed, except under conditions of unequally distributive contests. It suggests that for such talents, a distinction between "private" and "public" utilization cannot be securely sustained, at least not if talents are to be revealed to their full extent. What James Buchanan has called the positive sum nature of the competitive economic process[24] is as true for internal, non-transferable as for external, transferable resources. Indeed, given the essentially competitive nature of many human talents there is some reason to believe that it is, if anything, more true for inner resources.

The Sociological Veil of Ignorance

"Veils of ignorance" are all too common in philosophical argument. But one veil of ignorance is noticeable by its absence in most egalitarian formulations: the profound limitations of our social knowledge. The assumption that this form of knowledge could, in some imaginary world, be perfect, and that upon that foundation it would be possible to construct just principles for social allocation, is only a form of self-deception. It is based upon sociological naïveté. Worse still, it is a static form of sociological naïveté. To derive practices for the "equalization of talents" on the basis of the *assumption* of full and accurate *ex ante* knowledge about the distribution of talents between persons ignores the obvious truth that insofar as the principles and practices of the distributory mechanism are known to individual talent-bearing agents, the sum of social

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knowledge about the full extent and differential distribution of those talents will actually *diminish* as these agents begin a dynamic process of evading redistribution.

Thus, there is no *ex ante* sum of human talents to be "discovered" by a social planner and then redistributed. There is only an *ex post* revelation (and identification) of those talents by skill, luck and effort stimulated by the incentives and the encouragement afforded by existing social institutions.

It is at least arguable that the arrangement of social institutions most likely to stimulate the greatest possible revelation of differentially distributed human talents for the maximization of the welfare of all will be that which maximizes those rewards to talent which would occur if each individual were raised in a domestic environment which best nurtured his potential abilities and if each individual had free access to public educational resources which best stimulated and encouraged those talents which he possessed. The net effect of these social arrangements in any plausibly existing society would be redistributive. It would not condemn each to make what he could of his talents in whatever situation he happened to find himself. Far from it. Nor would it preclude the possibility of transfer payments to protect the subsequently vulnerable. But it would rule out the chimerical pursuit of an "equalization of talents" through a clumsy fiscal mechanism which would only succeed in diminishing both talents and welfare, while it led, if its principles were taken seriously, to a morally and practically disastrous "millenarian" levelling of all differences in people's material circumstances.

A concept of individual responsibility for the revelation of human talents does not assume that *really* anyone could run as fast as Ben Johnson if only they tried hard enough, and that the rewards Johnson reaps from that "talent" are really the "desert" of moral worth. There is no need to go down the sociological path of Samuel Smiles, engaging and fruitful though that might be. To take human talents seriously is not to attribute to talented individuals virtues that the rest of us lack and to distribute rewards and penalties accordingly. It is merely to admit our ignorance. We do not know the extent and range of the talents of others. We probably do not even know that information about ourselves. By whatever means are at its disposal, a good society will encourage all individuals to be responsible for the revelation and social utilization of those talents that they variously possess, in the certain knowledge that the beginning of all human welfare lies in the responsibility of individuals to perform continual skillful actions for the common good. Then and only then will a good society consider the problems and possibilities of reallocation for other purposes.

NOTES

1. See for example G. A. Cohen, "Nozick on Appropriations," *New Left Review* no. 150 (March/April 1985): 89–107; G. A. Cohen, "Self-Ownership,

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World-Ownership and Equality, Part II" in Ellen Frankel Paul, Fred D. Miller, Jeffrey Paul and John Ahrens, eds., *Marxism and Liberalism* (Oxford: Basil Blackwell, 1986), 77–96; Ronald Dworkin, "What is Equality?," part two, in *Philosophy and Public Affairs* 10, no. 4 (1981): 283–345; Jon Elster, "The Possibility of Rational Politics," *Archives Européennes de Sociologie* 28, no. 1 (1987): 67–103; John Rawls, *A Theory of Justice* (Oxford: Oxford University Press, 1972), esp. 72–75, 102–105, 507–11; John Roemer, "Equality of Talent," *Economics and Philosophy* 1, no. 1 (1985): 151–87; A. K. Sen, "Equality of What?" *Tanner Lectures on Human Values,* no. 1 (Cambridge: Cambridge University Press, 1980), 196–220. These are simply the best known and most discussed formulations. A bibliographical list could be extended almost indefinitely.

2. Most notably the reaction to the empirical studies of differential individual and group differences in I.Q., especially the abuse directed at the work of Arthur Jensen and Richard Herrnstein. For an illuminating discussion of the issues raised by this form of "skepticism" see Edward Shils, "The Legitimacy of Social Inquiry" in Edward Shils, *The Calling of Sociology and Other Essays on the Pursuit of Learning,* The Selected Papers of Edward Shils, vol. 3 (Chicago: University of Chicago Press, 1980), 465–98.
3. This suggestion is made in Antony Flew, *The Politics of Procrustes* (London: Temple Smith, 1981), esp. 97–110. But see Rawls, *A Theory of Justice,* 102 for the *ethical* meaning of "equalization of talents."
4. No egalitarian theorist addresses the simple question: "But what if the majority of citizens in a political community, *including* a majority of the 'underprivileged,' did not *want* equality?"
5. See Roemer, "Equality of Talent," 179n: "Surely great compromises must be made in implementing any policy of justice on account of revelation and incentive problems." Or see Elster, "The Possibility of Rational Politics," 96n78: "Any theory of justice must take account of the need to pay people more when necessary to elicit socially useful work." It is interesting to note that these throwaway remarks characteristically occur in the footnotes of articles about egalitarian theory, as if they were minor points of qualification. They *are* the problem, or rather, the problem begins with the realization they embody. Furthermore, who is to decide what is "socially useful work" and when it is "necessary"?
6. For a notably balanced discussion on the moral standing of natural assets, see Robert Nozick, *Anarchy, State and Utopia* (Oxford: Basil Blackwell, 1974), 213–27.
7. For the distinction between "ambition" and "talent," or "effort" and "ability," see Dworkin, "Equality of Resources," 304–306, 313–14.
8. For this distinction see A. K. Sen, *On Economic Inequality,* 4th ed. (Delhi: Oxford University Press, 1985), 103–104.
9. For the difficulties, indeed intractable difficulties connected with making this distinction, see Dworkin, "Equality of Resources," 313–14.

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10. On rewards to effort, see Dworkin's example in "Equality of Resources," 304–307. See also the comments of Charles Fried, "Distributive Justice," *Social Philosophy and Policy* 1, no. 1 (Autumn 1983): 45–59.
11. This point is made in Elster, "The Possibility of Rational Politics," 96: "How can one defend the view that a low level of ambition is not also the product of social or genetic luck?" I.e., laziness might not be the *fault* of the individual, so he should not be blamed or punished as a result.
12. See Rawls, *A Theory of Justice,* 74: "Even the willingness to make an effort, to try and so to be deserving in the ordinary sense *is itself dependent upon happy family and social circumstances*" (emph. added). Ergo, it is also *not* an object of individual merit, establishing desert and worthy of reward.
13. The utilitarian theory of justice, responsibility and punishment is a subject wholly to itself which I shall not enter into here.
14. See Dworkin, "Equality of Resources," for the example of Adrian and Bruce, esp. 304–307.
15. The only attempt to offer a sociological explanation for any of these categories of human responsibility in an egalitarian theory is found in Rawls, *A Theory of Justice,* 74. For an important sociological critique of Rawls, and, by implication, all egalitarian theories of distributive justice, see two important articles by James S. Coleman, "Inequality, Sociology and Moral Philosophy," *American Journal of Sociology* 80, no. 3 (November 1974): 739–64; and "Equality of Opportunity and Equality of Results," *Harvard Educational Review* 43, no. 1(Winter 1973): 129–37.
16. The "equal division" model can be found in Roemer, "Equality of Talent," 169–70. The "insurance premium" model can be found in Dworkin, "Equality of Resources," 314–26. A comparison between the two is offered in Roemer, "Equality of Talent," 172–74.
17. Whether this lacuna actually *matters* or not is, of course, strictly subordinate to the prior ethical question of whether there is a *moral* difference between "effort" and "talent," or "ambition" and "endowment"; and that question is itself subordinate to a theory of individual responsibility.
18. For Roemer's "simplifying assumptions" see Roemer, "Equality of Talent," 155. His reasoning for the legitimacy of making those assumptions is illuminating: "I wish to study equality theories independently of implementation problems. The purpose is to present a first-best ethical standard of egalitarianism." Whatever the ethical status of this form of abstract reasoning, it is a very good example of the refusal to take the precarious nature of talents seriously.
19. Roemer's results can be found in Roemer, "Equality of Talent," 159–74.
20. See Sen, *On Economic Inequality,* 103–104.
21. For a full discussion of the relevance of this example to market theories of distributive justice, see James M. Buchanan, "Rules for a Fair Game: Contractarian Notes on Distributive Justice" in James M. Buchanan, *Liberty, Market and the State: Political Economy in the 1980s* (Brighton: Wheatsheaf Books, 1986), 123–39, esp. 130.

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22. This passage follows the argument of Professor Buchanan, as above, 130.
23. For a recent and penetrating discussion of the properties and uses of tournaments in economic processes, see Margaret A. Meyer and Dilip Mookherjee, "Incentives, Compensation and Welfare," *Review of Economic Studies* 54 (2), no. 178 (April 1978): 209–26.
24. Buchanan, "Rules for a Fair Game," 130.

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LETTERS

Rational Expectations and General Equilibrium

TO THE EDITOR:

Christopher Phelan's "A Defense of Rational Expectations/General Equilibrium Analysis against Austrian Objections" (Fall 1987) has provided the readers of this journal with a fair and reasonable explanation of general equilibrium theory and the rational expectations hypothesis. He also intended to answer Austrian-school critics of general equilibrium and rational expectations.[1] As one of those critics, I would like to take this opportunity to look into the equilibrium issue a little deeper, and tease out some additional problems embedded in the equilibrium framework which Phelan so competently described.

Phelan states that the major sources of Austrian objections are simply misunderstandings about the nature and purpose of the concept of equilibrium. The most common misunderstanding, according to Phelan, is to believe equilibrium represents the coming to rest of a system over time. Using Hotelling's classic example of two hot-dog vendors attempting to find the optimal location on a beach, he demonstrates that equilibrium means no such thing. Rather, equilibrium is that state of affairs in which minds or strategies become coordinated. On this point, however, most Austrians agree (or *should* agree) with Phelan. Certainly Hayek defines equilibrium this way.[2] Moreover, Mises goes to some lengths to distinguish between the notions of what he calls the plain state of rest (market clearing), the final state of rest (that which the market always tends toward, but never reaches), and the evenly rotating economy (Mises's label for general equilibrium). The very fact that the economy is "rotating" (i.e., all market transactions are constantly repeated) implies not a state of rest, but a "ceaseless flux" of coordinated expectations and market activity. As Phelan emphasizes twice in his paper, such a construct is a timeless world.[3]

The concept of general equilibrium (GE), Phelan explains, assumes given preferences, known production functions, and an initial set of endowments. Moreover, agents are treated as price takers—their individual actions cannot influence market prices. He assures us that this basic model can be "extended" to allow for "time" if we so desire. Just as two different goods are considered spatially unique with unique prices (an apple in this bin and an orange in the other), so they can be considered temporally unique (an apple today and one tomorrow), with unique prices. Hence, "time" can be formally incorporated into the model by treating it as a variable in the same way we treat space.

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Equilibrium is then considered that condition in which each agent chooses his most preferred feasibly attainable path over all goods and times. To justify this condition, Phelan continues, requires a set of futures contracts—a series of contracts specifying at the beginning the delivery of a given good or input at a given date, which holds for all goods and all time, and is enforced from the beginning. Though this is "obviously a huge abstraction from reality," Phelan points out that at least the model builder finds it "quite attractive" because he can now talk about "time" without having to change fundamentally his equilibrium model.

Because we are now dealing with the future, the model builder must find a way to introduce expectations and uncertainty without forsaking the apparatus he has erected. One alternative is to simply avoid the "underlying uncertainty in the world" and treat expectations as the outcome of the model itself (that is, as if the agents themselves were convinced of the RE hypothesis and mentally adopted the model the economist uses to explain their behavior). In such a bizarre world, the individuals will be able perfectly to predict the future and attain a rational expectations equilibrium. Moreover, this equilibrium will be the same as that which occurs at the temporal beginning of the model. "Although this may seem outrageous," Phelan assures us, it goes "a long way toward explaining phenomena such as inflation or interest rates."

Finally, if the theorist feels compelled to deal with uncertainty, he can do so by simply specifying a series of Arrow-Hahn-Debreu contingency contracts at the beginning which hang probabilistic weights on all future possibilities. Phelan once again explains that this leads to the same outcome as the former equilibrium models.

Now I don't know how all this amounts to an answer to Austrian misunderstandings or objections. In particular, I think Phelan's explicit defense of abstract model building adds little to what Friedman said in the 1950s; it certainly remains quite naive and outdated, especially if one takes into account the current debates in the epistemology and the philosophy of science. But rather than continue my objection on methodological grounds, let me advance some arguments dealing with a matter that Mr. Phelan may take more seriously: the internal consistency of the Chicago school's general use of equilibrium.

Standard Chicago price theory has traditionally been considered more useful than GE theory. This is so because it relies on *ceteris paribus* analysis and partial equilibrium concepts (that is, it studies isolated phenomena such as a single firm or industry rather than the entire system all at once). Moreover, as Melvin Reder has pointed out,[4] Chicago-school model builders employ what he calls the "Tight Prior Equilibrium": a state of affairs whereby "decision makers so allocate the resources under their control that there is no alternative allocation such that any one decision maker could have his expected utility increased without a reduction occurring in the expected utility of at least one other decision maker." In other words, individuals are assumed to act in a Pareto-optimal manner. In addition, the prices at which individuals currently

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transact are considered market-clearing prices and are treated as "good approximations to their long-run competitive equilibrium values." They therefore measure the true opportunity costs of alternative resource allocation.

Reder points out that the Tight Prior Equilibrium allows the theorist to link individual optimization decisions with economy-wide welfare conclusions. This holds because the individual market price is thought to reflect the full opportunity cost of the good's alternative uses. But let's take this one step further. If the price of a good in an isolated market (i) clears the market; (ii) is consistent with optimization by every individual decision maker; (iii) reflects the full opportunity cost of alternative uses; and (iv) is assumed to hold in the long run, then the plans of the agents will be fully coordinated: the system will be in equilibrium. As such, all market activity, according to this view, is deemed efficient—indeed, Pareto optimal. Here, as George Stigler has had occasion to remind us, we have the best of all worlds.

It is not enough, however, to view markets in isolation from each other. Use of partial equilibrium supplemented by Tight Prior assumptions allows the Chicago theorist to talk about the overall performance of the economic system. But Tight Prior analysis is consistent *only* when all the other industries, held constant by *ceteris paribus,* are in equilibrium.[5] Then, by Walras's law, the isolated industry under examination is also in equilibrium, and, in fact, price must equal opportunity cost.

What we have here, Richard Fink argues, is really sectoral GE theory. As Jack Hirshleifer says in his standard textbook: "Microeconomics concentrates mainly upon equilibrium states of particular markets, presuming an equilibrium of the market system as a whole."[6]

On the other hand, if all the other industries are not actually in equilibrium, the bridge between the partial and the general collapses. And to assume otherwise leads one to engage in inconsistent GE analysis. In fact, as long as real-world industries are composed of firms and engage in monetary exchange and monetary calculation, they are necessarily in a state of disequilibrium: for in a state of affairs characterized by the complete and optimal coordination of the mental and strategic economic activities of all individuals, money as a general medium of exchange and tool of economic calculation becomes completely useless. A general medium of exchange and unit of economic calculation ceases to exist in general equilibrium.[7]

To continue to treat a market price as reflecting opportunity costs (in order to make welfare assessments) under these conditions means to engage in inconsistent GE analysis. In this case, its policy conclusions cannot be supported by theory, because the theory itself is inconsistent.

Why is this so? It seems that the Chicago view confuses market clearing with market equilibrium. Market clearing occurs when the quantity of a good supplied equals the quantity demanded. Market clearing, then, is a necessary but not sufficient condition for market equilibrium, because a currently cleared market does not necessarily imply that the future actions of the buyers and

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sellers in every market are also intertemporally coordinated. It simply means that current supplies and demands mesh in a single market. Expectations concerning tomorrow may differ drastically from today.

Thus, while there is a strong empirical tendency for unhampered markets to clear, it would be mistaken to conclude that markets tend to be equilibrated.

Now the Tight Prior Equilibrium is just as much a part of Chicago RE theory as it is part of Chicago price theory. In addition, Phelan rightly links RE with the GE framework. But how can the RE model explain inflation or interest rates in a world characterized by intertemporal general equilibrium? Not only does the model fail to account for money (and therefore inflation—if you believe inflation is primarily a monetary phenomenon); it has nothing much to say about interest rates.

Because the GE framework models goods in "time" in the same way as it models goods in space (a feature Phelan applauds), interest rates must be constructed as the "own rates of return" for each and every good in the system. Because the Arrow-Hahn-Debreu framework cannot account for the interest rate as a discount rate used to determine the present value of capital goods, the model ultimately lacks a capital theory.[8] Just as one moves back and forth through space, so, in general equilibrium (RE or otherwise), individuals can move, in principle, forward and backward in time.

Rather than capital theory, GE theory provides, according to Tyler Cowen, merely "a theory of location cloaked under a different name." In such a system positive interest rates and negative interest rates can exist for the same good at different points in "time." How can such a model be used meaningfully to discuss the everyday world?

I do not expect Phelan to respond by trying to differentiate RE from the GE framework—he has done such a good job showing how neatly the former fits into the latter. My point is to show that the RE model suffers from all the major problems of GE analysis. But if indeed it does not describe the real world, or is used inconsistently, can it nevertheless be salvaged by its predictive value? Maybe so.

On the other hand, if one maintains that we are always moving toward such a fully coordinated world (but exogenous shocks keep us from attaining the final equilibrium)—an empirical claim—then we have to evaluate the assumptions and implications of the model in their own right.

RE analysis models the world as one of fully coordinated expectations, without true uncertainty and capital goods, without basic market institutions like firms, money, or monetary calculation. I contend we do not live in that world; nor are we moving toward it in any degree imaginable.

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NOTES

1. See Kurt Schuler, "Father Time's Revenge on Economics," CRITICAL REVIEW 1, no. 1 (Winter 1986–7), and David L. Prychitko, "Ludwig Lachmann and the Farther Reaches of Austrian Economics," CRITICAL REVIEW 1, no. 3 (Summer 1987). I should mention at the outset that there is no homogeneous "Austrian" position on the equilibrium issue. In addition to the above, see Roger Garrison's "The Kaleidic World of Ludwig Lachmann," CRITICAL REVIEW 1, no. 3 (Summer 1987), and Pete Boettke, Steve Horwitz, and David L. Prychitko, "Beyond Equilibrium Economics: Reflections on the Uniqueness of the Austrian Tradition," *Market Process* 4, no. 2 (Fall 1986).
2. See, for example, F. A. Hayek, "Economics and Knowledge," in his *Individualism and Economic Order* (Chicago: University of Chicago Press, 1948), 33–56.
3. See Ludwig von Mises, *Human Action* (Chicago: Contemporary Books, 1966), 244–50. Mises relegates the use of the equilibrium construct to that of a "thought experiment": the fictitious world of equilibrium is contrasted with our dynamic, uncertain everyday world in order to elicit a better understanding of the everyday world. "In order to grasp the function of entrepreneurship and the meaning of profit and loss," for example, "we construct a system from which they are entirely absent. This image is merely a tool for our thinking. It is not the description of a possible and realizable state of affairs" (248). Rothbard, however, seems to confuse the Misesian notion of the final state of rest with the evenly rotating economy, in that he believes the market is always tending toward (but never reaches) the latter (see Murray N. Rothbard, *Man, Economy, and State* [Los Angeles: Nash Publishing, 1970], 441n29, 274–76).
4. Melvin Reder, "Chicago Economics: Permanence and Change," *Journal of Economic Literature* 20 (March 1982): 1–38.
5. See Richard H. Fink, "General and Partial Equilibrium Theory in Bork's Antitrust Analysis," *Contemporary Policy Issues* 3 (Winter 1984–85): 12–20. These ideas are elaborated in his "Resale Price Maintenance: A Market Process Approach" (Ph.D. dissertation, New York University, 1988).
6. Jack Hirshleifer, *Price Theory and Applications*, 2nd ed. (Englewood Cliffs, N.J.: Prentice Hall, 1980), 19.
7. Cf., e.g., F. H. Hahn: "The Walrasian economy that we have been considering, although one where the auctioneer regulates the terms at which goods shall exchange, is essentially one of barter." As cited in Paul Davidson, *Money and the Real World* (London: Macmillan, 1978), 141.
8. See Tyler Cowen, "The Rate of Return in General Equilibrium: A Critique," *Journal of Post-Keynesian Economics* 4, no. 4: 608–17.

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CHRISTOPHER PHELAN *replies:*

Once again, since Mr. Prychitko continues to discuss whether the real world is in equilibrium, I must emphasize that he misunderstands what general equilibrium advocates mean by equilibrium. He contends that I have not given Austrians enough credit, that they do in fact know what equilibrium is. I cannot say whether this is true because in the real world, I have no idea what equilibrium is. The misunderstanding I was referring to did not concern which group has a "better" understanding of the nature of equilibrium, but instead what a general equilibrium theorist means when he uses the word "equilibrium," and how unfounded criticisms can result if this is not understood.

The point is that to a GE theorist, as to Mises in Prychitko's note 3, equilibrium is not a real-world phenomenon that may exist in one market but not another, or for a whole economy for one time or another, but an animal that lives and breathes only in his models. It is a concept used to "solve" the models. That is, where a given model can have many technologically feasible outcomes, equilibrium outcomes are the ones consistent with rational behavior for the imaginary inhabitants of the model. In a model, equilibrium outcomes are the only outcomes that make sense.

Prychitko argues that since some markets display characteristics such as money which are not present in the equilibria of most general equilibrium models, that these markets must be in "disequilibrium"; thus, pretending that they are in equilibrium makes for an inconsistent theory. Once again, I have no idea whether actual markets are in disequilibrium or equilibrium or what this even means, but simply because a model's outcome doesn't match every characteristic of the real world does not make it useless. Studies of bodies falling in a vacuum don't predict the fall of a feather but still provide much insight into how the world works.

To be fair, however, I will guess that Prychitko would respond that GE models do much more than leave out air resistance, but instead leave out all or most of the characteristics of the real world that make economics interesting. On some questions, such as the role of innovation and invention, I would have to agree, while on others I would disagree. I may simply have different tastes regarding what is interesting.

Nevertheless, we should consider our alternatives. If one is interested in money or innovation or another field where Prychitko finds GE analysis lacking, we can either try to create models, GE or not, that attempt to rectify this deficiency and increase our understanding of the phenomenon, or we can talk and talk in fuzzy enough terms that we hide the fact that we're not getting anywhere. Economics is hard, and I for one cannot do it all in my head or by using imprecise language. (An economics paper with a mathematical model may be judged inapplicable, but it is at least clear what the author is saying.) If the Austrians think they can make progress without the structure of models then I wish them all the luck in the world, for I believe they will need it.

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Maybe someday their efforts will amount to more than a stream of essays on the inadequacies of the works of others.

Libertarian Dualism?

TO THE EDITOR:

Chris Sciabarra examines (Fall 1987) too few versions of libertarianism for him to draw the grand conclusions he thinks he has established. Consider, as an example, that there are important arguments, espoused by quite a few people who consider themselves libertarians (as shown by their willing contributions to such volumes I have edited as *The Libertarian Alternative* [1974] and *The Libertarian Reader* [1982]), that do not "give ontological priority to the market." In these versions of libertarianism the market is a side-effect of the principles of a human community that aims to pay very close attention to the multifariousness of human life.

Perhaps Mr. Sciabarra finds such views insignificant. Yet that would be a mistake. Indeed, those are versions of libertarianism that are far more faithful to the philosophical underpinnings of the only remotely libertarian civilization in our world, the United States of America, than are others. John Locke may not have developed a full-blown and consistent philosophical defense of the free society, but the defense that he did not present did not regard the market as ontologically primary. (This despite C. B. Macpherson's and Leo Strauss's contentions that Locke is just Thomas Hobbes warmed over.) Rather, Locke and especially recent neo-Lockeans take the moral nature of the human being as the basis for the kind of society in which a marketplace is the only justified social means to aim for prosperity.

It is the basic individual human rights of members of such a community that are politically prior. More importantly, it is the moral nature of human beings that is prior in the social ontology of these libertarians. And no dualism is generated by this.

The individual ought to strive to live a morally good life and this requires that certain principles be upheld by all in society. Since, however, ought implies can, it follows also that some might not respect these principles. So as not to allow this to do too much damage to them, citizens of the community ought to establish these principles as popularized rules of conduct (i.e., constitutional laws) and secure their enforcement by some of their fellows (government).

All this gives *natural* rise to government. The market, in turn, arises in the context of the observance and protection of these principles or rules.

The "whole" is being paid attention to in all this, without fail, when it is noted that certain general principles apply to all humans as social beings. But the individuality of those who comprise the "whole" is also acknowledged,

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since no fruitless attempt is made to subsume under the principles that apply to the whole—the political facets of human life—everything that is of significance for people. I.e., such a system is not totalitarian. But neither is it atomistic in its view of the individual.

Now there might be difficulties with this and other varieties of libertarianism. It would have been proper to take note of them in a supposed discussion of "libertarian" dialectics. The tack Mr. Sciabarra chose is reminiscent of charges of "ideology" against liberalism. Such charges keep stressing the weakest and lowest renditions of the theoretical framework of that tradition so as to discredit it.

Marx is a good example. He said that Smith and Ricardo embraced "insipid illusions." He caricatured "the right of man to property" as "the right to enjoy his possessions and dispose of the same arbitrarily . . ." ("On the Jewish Question"). And so on. But consider that the same right Marx presents as a kind of absurd myth makes it possible also for man to dispose of his property non-arbitrarily—carefully, thoughtfully, constructively, creatively, generously, charitably, kindly, etc.

Many pounce on capitalism's defense by those who embrace ontological reductionism or scientism, as if this is the only argument they must contend with. It is a puzzle, to say the least, unless they fear that taking the system at its best might not make for such easy victories.

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CHRIS SCIABARRA *replies:*

Professor Machan raises a significant objection to my characterization of libertarianism as dualistic. He argues that I have examined "too few versions" of libertarianism to have drawn such a "grand" conclusion, and that, moreover, the versions I have analyzed are among "the weakest and lowest renditions of the theoretical framework. . . ." In essence, he is suggesting that I have defeated a straw man while ignoring certain important and sophisticated philosophical positions within the libertarian tradition. He implies that I may have dismissed these positions as either "insignificant" or too difficult to ponder.

I can assure Professor Machan that I do not believe that these other "versions" are insignificant. I certainly did not intend to suggest that the dualistic tendency is intrinsic to *all* libertarian theory. The purpose of my article was to focus on "the weakest renditions" of libertarianism because they are so widespread, as evidenced by my critical appraisal of articles that have appeared in this very journal. It is through the critique of "weakness" that libertarianism might gain richer and more meaningful significance.

My article also suggests that there is an important tension between two

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fundamentally opposed forms of "libertarian" theory, one which I have called "dualistic," the other which I have called "dialectical." Needless to say, certain thinkers in the libertarian tradition seem to combine elements of each. My analysis of Murray Rothbard's distinction between "voluntarism" and "coercion" is a case in point. I argued that when Rothbard dichotomizes these two ideal types, he achieves a dualistic, mutually exclusive antagonism that is abstract and ahistorical. When, on the other hand, Rothbard recognizes the "internal" relationship between these two types, he grasps that "coercion" is "coercion by consent." As such, the internalization of both "coercive" and "voluntarist" principles within each human actor implies that any radical social transformation is simultaneously a movement toward self-transcendence. But I maintain that "dualistic" libertarianism resists grasping the broader implications of coercive power relationships, focusing instead on a single institution (i.e., "the state") in a single context.

If my article was primarily critical, it was motivated by a desire to push libertarian analysis toward more "dialectical" thinking. This "dialectical" perspective is based on a multi-dimensional grasp of internal relations, embracing many levels of generality. Elements of a dialectical perspective are apparent in several versions of libertarianism, which I did not discuss at any length. Perhaps, by myself internalizing the stereotype of libertarianism as a narrow, *political* goal, I inadvertently perpetuated the belief that "narrowness" is distinctive to libertarianism *per se*. It is not.

There are two significant tendencies which need to be re-examined as dialectical alternatives to dualistic libertarianism. These are the "Aristotelian" perspective, most notably captured in the works of novelist-philosopher Ayn Rand, and the "evolutionist" perspective most visible in the works of F. A. Hayek.

Despite Rand's personal antipathy toward the libertarian political movement, she had a basic affinity with its central principle of "non-aggression." However, Rand's works suggest a far more multi-dimensional justification of the free society than those of most libertarians. I do not wish to ignore a very real tendency toward problematic, one-dimensional "moralizing" in Rand's thought. But in her concept of the "sanction of the victim," and in her perception of the ontological, psycho-epistemological, ethical, cultural, social, and economic prerequisites of the free society, lie tendencies toward highly dialetical analysis.

On the other hand, Hayek's "evolutionist" perspective also contains an element of dialectics in its understanding of internal relations. Despite Hayek's inadequate examination of the "spontaneous" evolution of hegemonic social institutions, his analysis combines an appreciation of historical specificity with quasi-Hegelian categories of holistic methodology.

I suggest that in Hayek's grasp of the internal relationship between freedom and socio-historical context, and in Rand's grasp of the internal relationship between freedom and psycho-cultural context, there are broad and deep parallels that need to be investigated, if only to shed light on the contextuality and historicity of the libertarian project.

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In my appraisal of dualism in libertarian analysis, there is a profound hope that critical discourse between and among various apparently opposed philosophical schools might transcend the limitations of each. Professor Machan himself is to be commended for facilitating this kind of dialogue in his newly edited, outstanding collection of essays by an eclectic group of thinkers, *The Main Debate: Communism versus Capitalism* (New York: Random House, 1987).

Physics, Religion and Meaning

TO THE EDITOR:

I thank Professor diZerega for continuing the dialogue on the relationship between physical science and religion. (See Gus diZerega, "Green Politics and Post-Modern Liberalism," CRITICAL REVIEW 1, no. 2 [Spring 1987]; Mordecai Schwartz and Gus diZerega, "Religion and Post-Modern Liberalism," CRITICAL REVIEW 1, no. 4 [Fall 1987]).

The thrust of my comments on the use of physical achievements in support of religious worldviews dealt only with the lack of verifiability (more accurately, falsifiability) of religious hypotheses. In particular, I emphasized that any hypothesis, theory, statement or worldview that purports to have relevance to our real world should actually say something about that world. The world should test one way if the statement were true and another if it were false. A supposed hidden deep metaphysical reality behind our perceived reality, yet not implying anything specific about our actual world, is not something we can consider to be knowledge. It has no demonstrable, objective relevance to man's existence.

My criticism of religious thought dealt only with its absence of meaning in this sense of falsifiability-in-principle. As a consequence, I pointed out that individuals of religious persuasion may feel the need to go outside their convictions and appeal to physical theories such as quantum mechanics to buttress claims of relevance to reality.

Religion, to the extent that it presents itself as an authoritarian source of completed revealed truth from on high, is subject to abuse by any power-seeker precisely because it cuts itself off from any self-corrective empirical test. There can be no meaningful confrontation of its truthfulness and applicability. Certainly the historical record is very clear: how could one challenge the divine right of kings, calls for holy wars, or even the behavioral strictures of sacred texts, if a priori truth is invested in religious authority? Anything claiming to be above man's mind, above man's understanding, and asking to be accepted on faith, is ipso facto a potential tool for man's enslavement.

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There are limits to our current knowledge of the world. Some believe there are limits to any possible future understanding which inhere in the necessity for filtering reality through limited human capabilities. Historically, where has religion stood? Always just outside our current knowledge; always just beyond any potential limits. Religion today still stands ready to take up the slack and provide those revealed truths that pass human understanding. My most fundamental criticism of the religious worldview is simply that where religion and belief begin, there mind is abandoned and all hope of genuine comprehension of our universe ends. One cannot but be in awe of the universe; awe and understanding, unfortunately, are not the same.

Professor diZerega feels that I do an injustice to the "spiritual perspective" and attribute a hostility or distrust for observed data to religion in general, when it should more properly be reserved for a small minority of literal-minded interpreters of sacred texts, such as "creation scientists." Most others, he feels, find "metaphysical, mystical, and analogical meanings to textual interpretations" in addition to or instead of the literal meanings. He further points to the many people of religious persuasion who derive their beliefs not from authoritative external revelation, but develop their religious insights and convictions from probing deeply within themselves.

Here we reach what is undoubtedly the crucial issue. We must examine to what extent internally derived, directly experienced truth is exempt from the process of objective meaningfulness, communication and verifiability.

I do not feel that I misstate or distort Professor diZerega's position by characterizing it as one of private non-communicable truth—except perhaps in some limited sense to a small number of spiritually attuned initiates. He exhorts us to look within ourselves for ultimate truth: "A person cannot now rationally reject the existence of a spiritual reality without at least conscientiously trying some of the practices which supposedly open up one's perceptions to the sacred dimensions of the world." In another context, he points to his own internal experientially-grounded spiritual foundation for the fusion of facts and values as something he cannot prove to "those who have not experienced it."

What can one say about the nature of the insights such meditation and inner-world explorations achieve? Their range can be as extended as the range of thought itself; the ideas more numerous than the numbers of individuals involved. Once communicability, precise formulation and clear verification are no longer required, one is not encumbered by the need to confront and answer to an objective reality. The man of religion does indeed, as we know, feel free to appropriate to himself all of mind, morality and "deep reality."

This position can only be refuted at its source. We must attack the presumption that it is safe to equate internal experience with non-communicable, non-verifiable truth. The burden is to show in some meaningful way when and why one person's ideas are not as good as another's. We must show just why the retreat to internal experiential phenomena is no refuge against the need for objectively communicable meaning if any claim towards sharable truth is being advanced.

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Let us begin by granting what cannot be denied. Mind exists. No one can consistently deny the reality of mind without invoking that which is denied. If all that religion requires is an acknowledgement of the existence of mind in the universe then we are all functionally religious.

Up until the quantum era we have had no real glimmer of any explanation for mind and no testable theory as to the nature of its intimate relationship with matter. All previous physical theories expressly excluded mind from any explanatory role in the phenomena of our perceived physical universe. It was an hypothesis with no role to play in a clockwork mechanical universe. It was a hanger-on, an epiphenomenon. To some, mind might exist as an independent substance, but it exerted no direct influence upon matter; it ran a parallel yet intertwined course. In either instance, mind was a hypothesis that science could do without. Even psychology, which one might suppose means the study of mind, and which ought to have been a safe bastion for the reality of mind, attempted, in the form of hard-core behaviorism, to read mind out of existence.

Quantum physics may indeed have something significant to say about mind, but the evidence is not yet in. The observer-centered universe and observer-created reality are not the only theoretical formulations compatible with quantum "weirdness" phenomena. Quantum-logic theory, parallel-universe theory and hidden-variable theory are among the alternative formalisms which are compatible with the experimental evidence yet which do not invoke the phenomena of mind. As on many other occasions in the history of science, and on no occasion in the history of religion, we must wait for the data to decide.

Regardless of the ultimate denouement of physical science as it bears on mind and its relationship to matter, mind is real, thought is real, perceptions are real. There is no sense trying to explain them away or read them out of existence. Internally derived perceptions are equally as real as those whose origin we attribute to external, independently-existing entities.

How, then, do we respond to the man of religion who claims a direct, unique perceptual awareness of an internal reality superior to and encompassing the ordinary perceptions of an external world? When he asserts that his internal reality is the deeper one, how do we answer? Ultimately, we must respond on religion's home ground by presenting in depth specific internal experiential phenomena that are indeed communicable and verifiable, and then asking each individual reader to measure for himself the claims of religion against such a standard. Anything less concedes the inner world to religion and mysticism.

Such a standard already exists in the foundations of mathematics.

Early in this century it seemed that mathematics was securely erected upon a foundation of logic. Bertrand Russell in his massive *Principia Mathematica* had seemingly deduced all of mathematics from fundamental logical premises. Mathematics was merely a branch of logic.

Suddenly, the logistic program, and with it the foundations of mathematics, crumbled. Paradoxes and contradictions appeared in supposedly solid

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logical reasoning, and ad hoc patchwork fixes such as the theory of types could not secure the edifice. Safety seemed to lie in the Formalist program of Hilbert which treated mathematics as a game in which meaningless markings were to be manipulated according to specific rules. The objects being acted upon were left undefined. Only the manipulations themselves, the formal deductions from axioms about undefined entities, were the mathematics.

Such mathematics was indeed open to the charge, made only half in jest, that mathematics is the field in which one does not know what one is talking about nor whether what one is saying is true. Worse still, the formalist program itself foundered against the wall of Gödel's theorem, which demonstrated conclusively that a formal axiomatic program could never embrace all of mathematics.

A third approach, the Intuitionist program of Brower, seeks to ground mathematics upon inner experiential phenomena, and insists that clear communicable meaning is fundamental. This is not the forum to present the Intuitionist thesis in the depth required to carry conviction, but if the reader explores further, he will find that such a mathematics is indeed grounded upon some of the most fundamental inner experiential realities the mind can apprehend. He will also understand in what manner these internal experiences are communicable and verifiable.

The reader will further appreciate why no contradictions or antinomies have ever appeared in Intuitionist mathematics. He will see why even logic itself has had to take a back seat and why some of its most cherished dogmas, such as the law of the excluded middle and the axiom of choice, cannot be accepted unreservedly without sacrificing clarity. Even concepts of infinity need hold no terrors when inner clarity and meaning are retained every step of the way.

Most important, the reader will see why no element of mysticism inheres in the Intuitionist formulation when only those objects/concepts directly constructible in a finite number of communicable steps are acceptable mathematical entities. Not all of mathematics is presently on an Intuitionist foundation, nor has the last word on the foundations of mathematics been written, but the case for retention of meaning in mathematics is strong.

The reader should find in this insistence upon genuine meaning a most valuable counterweight to anyone claiming mystical, private, non-communicable knowledge. He will understand that if self-contradiction can rear its head in so supposedly transparent a field as mathematics, every-step-of-the-way clarity is all the more needed in other branches of learning.

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GUS DIZEREGA *replies:*

When I wrote "Green Politics and Post-Modern Liberalism" I never imagined I would end up in a debate over a point which, while I obviously think impor-

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tant, was made almost in passing. Life, however, is filled with the unexpected. And so I find myself addressing theological rather than social-scientific concerns. To briefly recapitulate the discussion to date: originally I wrote that contemporary physics indicated a structure to the world which was in harmony with (*not* proof of) descriptions of reality given by many of the world's spiritual traditions. Theoretical physicist David Bohm has observed that, for example, "the present state of theoretical physics implies that empty space has all this energy and [that] matter is a slight increase of the energy, and therefore matter is like a small ripple on this tremendous ocean of energy."[1]

This perspective is radically unlike the older mechanistic model of reality which, theoretically speaking, could be considered in harmony only with the view that a transcendent God created the world which was radically separate from Him/Her.[2] I suggested that this development was likely to have significant implications for Western civilization in the future as it was more thoroughly investigated.[3]

Dr. Schwartz objected that no such harmony existed. Science and religion are fundamentally opposed to one another because science is based upon facts which can be observed whereas religion is not. Religion, in fact, sets itself above observed facts. I responded that this was a caricature of the spiritual position, although it does fit certain religious advocates. I argued that a great many spiritual traditions are as based upon experience as science, but that the type of experience they address is not amenable to scientific investigation of the sort advocated by Dr. Schwartz. I suggested that interested parties could explore the more experientially based spiritual traditions themselves in order to draw their own conclusions as to the reality of such phenomena. I further suggested that those who denied the reality of a spiritual world without attempting to meet it on its own terms were being unreasonable. Dr. Schwartz has now argued that one need not make the effort I suggested.

What is at stake is not whether religious knowledge is the same as scientific knowledge but whether scientific knowledge is an adequate model for all knowledge of reality. I hope to show that the basic principles of scientific investigation carry certain presuppositions about the nature of the world which go beyond the simple claim that it is amenable to rational understanding. Further, I will argue that these additional presuppositions render science of this sort radically incapable of *ever* understanding spiritual phenomena (if in fact such phenomena exist). I shall finally argue that this weakness on the part of scientific methodology in no way prevents us from rationally examining spiritual claims.

The Limitations in Scientific Methodology

If a spiritual dimension to reality exists it cannot be adequately investigated by scientific methodology. For such a dimension would flow from types of consciousness that are in some sense super-human. That is, if a spiritual realm

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exists, it involves entities which are our equals or superiors in knowledge and perception and possibly in other ways as well.

Scientists seek to discover the way things really are. But in doing so they adopt a methodology which restricts scientific knowledge in ways not usually appreciated. Scientific knowledge rests in part on the replicability of experimental findings, the applicability of quantitative measurement, the falsifiability of hypotheses, and a unified explanatory framework by which observed phenomena can, it is hoped, be integrated with other sciences. For example, the theory of evolution provides a unified explanatory framework and also integrates and reinforces many other sciences, from genetics to plate tectonics.

Scientific criteria for verification exclude or radically downgrade internal states of mind and consciousness in general, except when these can be linked with changes in physical phenomena. In a word, scientific knowledge is primarily knowledge of a world from which consciousness is excluded as an explanatory principle.

Dr. Schwartz points to mathematics as "internal experiential phenomena that are indeed communicable and verifiable." I am not a mathematician and have no reason to disagree. But mathematical knowledge is communicable to those who have not experienced the original mathematician's intuitions because the proof can guide any competent mathematician to the same conclusion. The original discovery may have occurred in a flash of insight; indeed, this is often the case. But the nature of mathematical knowledge enables others to dispense with such flashes because the proofs are deductive and logically necessary once the premises are granted.

If spiritual insight exists, it involves awareness of another conscious entity or entities in some sense equal or superior to ourselves. In some sense such an entity is free. We cannot discover laws about such phenomena which give us predictable knowledge about their specific manifestations, let alone lead another observer to a certain encounter with them. Dr. Schwartz might respond that this is because they do not exist. But if the phenomena did exist we still would not have such knowledge.

When scientists study free agents—i.e., individual human beings—double-blind experiments are frequently relied upon. At a minimum, when processes involving human choice are involved scientists try to prevent the subject from knowing the precise phenomena they are hoping to study because such knowledge could influence the subjects' behavior. People who know why they are being investigated often act differently from those who do not know.

In terms of our debate, the problem here should be obvious. Any scientific study which attempts to make spiritual phenomena predictable and measurable requires, if such phenomena exist, the cooperation of awarenesses which may have more access to what the scientist knows and expects than vice versa. To the extent that this is true, a primary requirement of scientific knowledge is seriously, perhaps fatally, undermined. Consequently, if the phenomena exist, science will not give us consistent and predictable knowledge concerning them. This brings me to a second point.

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Entities as Objects and as Subjects

We can learn a great deal by studying human beings as objects. We can learn their average rate of growth under differing environmental conditions. We can learn how their biological systems function. We can subject them to various adverse circumstances and see how they react. But in treating people this way we will never learn anything about, say, friendship or love. Friendship and love are most certainly aspects of the real world. But they cannot be understood without the investigator having some knowledge of these states him- or herself.

Friendship and love make a difference in the world. They add to the meaning of our lives, thereby, if nothing else, changing the way we live. At issue here, then, is the ontological status of meaning. Is it purely subjective, an epiphenomenon, or is it a part of the "real world"? Meaning makes essential reference to states of consciousness, specifically to acts of valuing. We can be reasonably sure that a methodology which avoids using consciousness as an explanatory principle is unlikely to be particularly useful in shedding light on this question. Such a methodology is unavoidably reductionistic. Science is finally beginning to acknowledge that just as physical states influence consciousness, so consciousness can influence physical states. The implications of this need a good deal more pondering.[4]

Descartes regarded animals as animate machines possessing no consciousness. A person who relates to animals in such a fashion does so in the way in which a sociopath relates to other human beings: the objects of his/her attention are nothing more than that; they have no interiority. To be sure, a person who regarded animals in such a light might well discover facts about them that otherwise would not be uncovered. But this attitude towards non-human living beings may nevertheless be inadequate. If they have minds it clearly is.[5] And if consciousness is a fundamental aspect of existence the "objective" attitude is seriously mistaken in more cases than those dealing with animals.

Most people would agree that interior qualities of human beings are more important than their purely physical characteristics and tell us more about them. Interiority is granted to animals by a smaller but still significant group of persons, even if no one has ever measured consciousness in a dog or rat. A still smaller group grants these qualities to plants and yet a smaller group to non-biological phenomena. What we have here is a continuum of relative objectifications based largely upon the entity's perceived similarities to ourselves. The secular mind, which perceives the world as ultimately consisting of non-living matter, is, from a panentheistic or immanentist spiritual perspective, somewhat akin to the sociopath. To the secular objection that consciousness is not directly observable in rocks or plants or animals, this spiritual perspective answers that it is not directly observable in human beings either, except in ourselves for each one of us.

I want to pass along a not very diplomatic but quite telling dialogue. Jeanne Achterberg quotes Jaime de Angulo's interview with a Pit River Indian informant who was telling him a tribal creation story.[6]

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"All right, Bill, but tell me just one thing now: there was a world . . . then there were a lot of animals living on it, but there were no people then. . . ."

"Whad'you mean there were no people? Ain't animals people?"

"Yes, they are . . . but . . ."

"They are not Indians, but they are people, they are alive. . . . Whad' you mean animal?"

"Well, how do you say 'animal' in Pit River?"

"I dunno . . ."

"But suppose you wanted to say it?"

"Well . . . I guess I would say something like *teeqaade-wade toolol aakaadzi* [world-over, all living]. . . . I guess that means animals, Doc."

"I don't see how, Bill. That means people also. People are living, aren't they?"

"Sure they are! That's what I am telling you. Everything is living, even the rocks, even that bench you're sitting on. Somebody made that bench for a purpose, didn't he? Well, then, it's alive, isn't it? Everything is alive. That's what we Indians believe. White people think everything is dead."

"Listen, Bill, how do you say 'people'?"

"I don't know . . . Just *is*, I guess."

"I thought that meant 'Indian'."

"Say . . . ain't we people!"

"So are the whites!"

"Like hell they are! . . . They don't believe anything is alive. They are dead themselves. I don't call that 'people.' They are smart, but they don't know anything. . . ."

To the complaint that one never found consciousness elsewhere, then, the appropriate answer is "Did you ever look?"

A Panentheist Model

Both immanentist and panentheist models of divinity argue that the spiritual is inseparable from the world in the sense that the world could not exist without it. This point can be stated as an hypothesis, a venerable one. But, whether or not this hypothesis is true, we will never be able to prove or rebut it by studying the physical world. This is because if the hypothesis is true divinity permeates the world "through and through." As such, in biochemist Arthur Peacocke's words, "It is not so much a question of primary and secondary causes, as classically expounded, but rather that the natural, causal, creative nexus of events *is* itself God's creative action."[7] Given this, everything that science discovers will only be a partial aspect of divinity. If divinity is everywhere, we will never discover it by seeking to discover the difference between where it is and where it is not. But if the hypothesis is false, from the point of view of physical science the world would look the same since science studies the physical world without reference to consciousness (except that of the in-

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vestigator). If this were all there is to the matter, the hypothesis would "make no difference" and Dr. Schwartz's point would stand.

But a great deal changes if the immanentist or panentheist model is correct. Let me return to my unfortunate "sociopath" to illustrate this point. The person who can relate to others only as objects does not know what s/he is missing. Only those who have experienced people as more than objects can appreciate what the sociopath lacks. But giving the sociopath an account of what is missing from his/her life will be difficult. Somehow s/he, to be made whole, must make a breakthrough into an entirely new way of relating to other human beings. The change in his/her perception of others is a qualitative shift rather than the result of learning more objective facts.

If divinity is immanent in the world, so also is consciousness, since a primary aspect of divinity is consciousness. Those spiritual traditions which hold to an immanentist theology also hold that it is possible to develop a relationship with some aspect of this divinity, or with the whole. The test of the immanentist position is whether or not this can be achieved. If it can, it will take the form of a perceptual breakthrough rather like that made when a person ceases to regard all others as objects and sees them as subjects. In one way the world has not changed. In another, everything has changed. While making this change can be a rational enterprise, it obviously is not amenable to being pursued solely by a methodology which presupposes physical reality as the most fundamental constituent of the world.

Testing the Panentheistic Model—Eliciting the Experience

The spiritual traditions holding to an immanentist or panentheistic perspective offer various experiential procedures which, they allege, will ultimately enable a person to establish awareness of the spiritual character of the world. If I may stick my neck out, it seems to me that as a rule the more limited the aspect of divinity and the closer it is to human awareness, the easier it is supposed to be to establish some sort of relationship with it. The more all-encompassing the aspect, the more difficult it is to establish contact and the harder it is to talk about it once established.[8] But in all cases it is one's experience of the relationship which establishes the truth of the proposition.

While the approach I suggested for studying spiritual phenomena is based upon experience, it is *not* dependent upon purely individual experience, even if that is a necessary part of the process. Here Dr. Schwartz misunderstands my point. The methods which we are told will lead a person to spiritual experiences are widely taught, though not in most Western spiritual traditions.

These methods lead to intersubjectively verifiable experiences, but not to completely controllable ones. Those who pursue a particular spiritual path will often have experiences that to all concerned appear very similar or identical to others who follow that same approach. Often these others will include large and widely scattered groups of people, such as those practicing Yoruba

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traditions in Africa, the Caribbean, and Brazil. Within a given tradition there is widespread agreement as to how to approach spiritual experience X, what X is like when it happens, and the like.

When I suggested that a would-be investigator follow one or another of these traditions I was assuming that s/he would be doing so in the context of an ongoing community of practitioners. There is constant feedback in such communities. Further, all experientially oriented traditions of which I am aware emphasize the importance of working with others who are more experienced, precisely in order to avoid the confusions that arise from being thrown back solely upon one's own isolated subjectivity when experiencing new phenomena.

To use terminology derived from the philosophy of science, different traditions offer different paradigms for gaining access to spiritual experiences. If the panentheistic model is correct, it follows that a wide variety of aspects of spirituality can be explored but that they will tend to be similar as one penetrates more deeply along any particular path.[9] When one leaves the realm of most Western monotheistic thought this perspective becomes quite common (though it is far from absent in the West). Of course, the difference between this approach and science is that here there is little theoretical discomfort with the existence of multiple paradigms for eliciting and deepening spiritual experience. Disproof of an approach arises from the sterility of its practices—they do not work.

All spiritual practices which focus upon experience rather than dogma emphasize that often the seeker must put real effort into his or her practice. The first try may not succeed and neither might the tenth. But prolonged effort will be rewarded. This may be frustrating to those who seek predictability and control in their understanding of the world. (There is a lesson here.) And the skeptic will say that anyone not reporting an experience will simply be told that they need to keep on trying. As such, the skeptic will say the validity of the practice is not falsifiable. This claim is not true. If no one, or hardly anyone, who pursued such practices reported success, or if there were an enormous and contradictory disparity in the types of "success" reported, we could justifiably question whether anything was happening beyond wishful thinking. But in fact a substantial portion of those practicing these approaches report similar results. However, let me offer a different framework to consider this issue.

If there is a spiritual reality, it is one wherein a relationship of mutual awareness and interaction between ourselves and another is possible. I therefore suggest as a model for rationally investigating such a reality the process of building a friendly relationship with another person. We do not build such a relationship by treating the other person as an object upon which we experiment. In fact, so long as it lasts such an attitude on our part *guarantees* that a friendship will never be established. I think the same generally holds for spiritual phenomena. The difference between friendship and interaction with the spiritual world is that one's experience of the second relationship is not with a

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peer, but in a genuine sense with an all-pervading aspect of reality—somehow often more real to us than our normal daily awareness—or with some sort of superior being or presence.

Often the methods for eliciting spiritual experiences will be very similar across cultures, even though the interpretations placed upon the phenomena once they occur will vary. Was it the Earth Mother, Temanja, Virgin Mary, Brigit, Ascended Master or Angel, who appeared? Here there may well be disagreement. But remarkably often the verbal descriptions of what happened are very similar. For example, a person who had once been involved in a Pentacostal Church wherein the "holy spirit" would suddenly seize members and cause them to dance reported that the experience was very much the same for him at a Brazilian Umbanda drum ceremony. At the Umbandan ritual "*caboclo*" spirits did the "same" things to him. Yet the methods used to bring on the experiences are not identical, since Pentacostals do not use conga drums, so far as I know.

My point is not that one or the other interpretation is correct or incorrect. For all I know they are both correct. But for the person to whom both experiences happened, the type of "energies" encountered seemed very similar. They may in fact not be the same and he may be wrong about the phenomena, but clearly there are plenty of opportunities for interpersonal verification (or lack thereof) of these perceptions. Verification simply requires people to put themselves in situations where such experiences are likely to occur, and to be in as receptive a state as they can attain.

Of course, someone can say that describing an experience as "spiritual" is also an interpretation. So it is. But those who have not had the experiences, and *who haven't even tried,* are no more in a position to question that part of the description than is the sociopath in a position to argue that "friendship" or "love" is nothing but a fancy and misleading name for purely instrumental behavior.

I want to close with some incidental remarks on minor points raised by Dr. Schwartz. Apparently I read Dr. Schwartz's comments as being more negative than he intended. My error. But if I believed what he believed, my comments on the matter of religion would be negative ones indeed. It should be clear both from this discussion and my initial response that I am not in any sense supporting the logic or claims of religions which derive their authority from truth revealed to a chosen few from on high. Nor am I suggesting that beliefs demanding to be accepted on faith alone deserve serious consideration as spiritual paths. I have instead suggested approaching the subject of spirituality on the basis of one's own experiences of the divine combined with a rationally humble recognition that one's interpretation of that experience (or of its absence) is limited, culturally conditioned, and fallible. This provides a rather fragile platform for oppressing anyone.

In order to respond to these criticisms I have had to go much further into the specifics of my own understanding of these matters than I had desired. I certainly do not claim to be an authority. My only intent initially had been to

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suggest that reasonable people who are afraid neither of science nor of the facts of the world could now more easily investigate spiritual claims than was the case when more mechanistic models of the world prevailed. There is a better "conceptual fit" than before between the new physics and mystical and spiritual perspectives. But neither spirituality nor science can provide proof of one another's perspectives.

NOTES

1. Renee Weber, *Dialogues With Scientists and Sages* (London: Routledge and Kegan Paul, 1986), 28. See also David Bohm, *Wholeness and Implicate Order* (London: Routledge and Kegan Paul, 1980).
2. Carolyn Merchant, *The Death of Nature* (San Francisco: Harper and Row, 1980).
3. See for example the series of articles and debates in Ken Wilber, ed., *The Holographic Paradigm and Other Paradoxes* (Boulder, Colo.: Shambhala, 1982).
4. There is a lot of available material. A good introduction is Jeanne Achterberg, *Imagery in Healing: Shamanism and Modern Medicine* (Boston: Shambhala, 1985).
5. See for example Karen Vaughn's interesting account of rats in her "Subjectivism, Predictability and Creativity: Comment on Buchanan" in Israel Kirzner, ed., *Method, Process, and Austrian Economics: Essays in Honor of Ludwig von Mises* (Lexington, Mass.: D. C. Heath, 1982), 23–26. See also Donald Griffin, *Animal Thinking* (Cambridge, Mass.: Harvard University Press, 1984). For a brief overview see Mary Midgley, "Embarrassing Relatives," *The Trumpeter* 4, no. 4 (1987).
6. Jeanne Achterberg, "The Wounded Healer: Transformational Journeys in Modern Medicine," *Shaman's Drum* no. 11 (Winter 1987–8): 19. This view was characteristic of the West up through the Renaissance. See Merchant, 27–28. For a contemporary philosophical discussion see Charles Hartshorne, *Omnipotence and Other Theological Mistakes* (Albany: SUNY Press, 1984), 51–63.
7. Arthur Peacocke, *Intimations of Reality* (Notre Dame, Ind.: University of Notre Dame Press, 1984), 63. See also Charles Hartshorne, *The Divine Relativity* (New Haven: Yale University Press, 1948), 88–92.
8. Alain Danielou, *The Gods of India: Hindu Polytheism* (New York: Inner Traditions, 1985), 3–59.
9. Frithjof Schuon, *The Transcendental Unity of Religions* (Wheaton, Ill.: Quest, 1984), 7–60.

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